

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2018

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

S.A.No.1014 of 2000
and
C.M.P.Nos.722 to 724 of 2012

- 1.Hussain Bi
- 2.Dowlath
- 3.Ahamed (Deceased)
- 4.Shukkur
- 5.Malik
- 6.Sikandar
- 7.Wazir
- 8.Rusheed
- 9.Shakila
- 10.Nazeema
- 11.Riyaz Basha @ Syed Sadam Hussain

(Appellants 9 to 11 brought on record
as LR's of the Deceased 3rd Appellant
as per Order dated 28.11.2018 made in
CMP.No.721 of 2012 in SA.No.1014 of 2000)

.. Appellants

Versus

- 1.Zakhira Bi
- 2.A.S.Allah Bakash
- 3.Rahamattullah
- 4.Bahrunnissa
- 5.Kousia Bee
- 6.Salima Bi
- 7.Shakina

.. Respondents

PRAYER:

This Second Appeal has been filed under Section 100 of C.P.C., against the judgment and decree dated 20.08.1999, on the file of the Ist Additional District Judge and Chief Judicial Magistrate of Dharmapuri at Krishnagiri passed in A.S.No.65 of 1995, partly allowing the appeal and modifying the decree dated 27.01.1995 passed by the learned District Munsif of Krishnagiri in O.S.No.59 of 1981.

For Appellants :: Mr.V.Nicholas

ORDER

The plaintiffs had filed a suit for declaration of title. There were two brothers Ahmed Sharif and Sheikh Amir. They purchased two properties. However the properties were purchased in the name of one of the brother Sheikh Amir. He was the plaintiff in the suit. The Trial Court had granted declaration of title to both the properties. The defendants then filed First Appeal. It must be said that more out of grace, the First Appellate Court granted title in respect of one of the two properties to the appellants therein.

2.The Second Appeal has been filed challenging that judgment seeking title to the other property also.

3. Both the Courts have concurrently upheld the title of Sheikh Amir. No point of law arises for consideration in this Second Appeal. The appeal is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. Ist Additional District Judge and Chief Judicial Magistrate, Dharmapuri at Krishnagiri District.
2. The District Munsif, Krishnagiri District.
3. The Section Officer, VR Section, High Court, Madras-104

+1cc to Mr.V.Nicholas, Advocate, S.R.No.86629

S.A.No.1014 of 2000
and

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GP(CO)
CS/07/05/2019