

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 04th DAY OF JUNE 2019

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

C.S. No.688 of 2015

and

A. No.1605 of 2019

V.Vaithyanathan,
S/o Late.Vinayathan,
No.18, V.O.C.Nagar,
Jayanagar, IInd Street,
Karimandapam,
Trichy - 620 001. Plaintiff/Applicant

-Versus-

1.S.Manimegalai,
W/o Late V.Sellamuthu,

2.S.Vijayalakshmi,
W/o Saravanan,

Both are residing at
No.27/1, Kandan Street,
Perambur,
Chennai - 600 011. Defendant/Respondent

C.S. No.688 of 2019:- सत्यमेव जयते

Civil Suit praying that this Hon'ble Court be pleased to grant the judgment and decree as follows:

(a) suit for partition to grant the half share ($\frac{1}{2}$) of the share in the schedule property to the plaintiff by paying preliminary decree and allot such due share by dividing in metes and bounds of the same and.

(b) to grant the permanent decree for injunction to restrain the defendants or the persons claiming through them or their agent or men or the person in attorney from dealing with or meddling with the suit schedule property of the plaintiff.

A. No.1605 of 2019:-

Application praying that this Hon'ble Court be pleased to pass Final Decree as per the Advocate Commissioner's report in which Part 'A' schedule is demarked in the sketch enclosed along with Advocate Commissioner Report to the Plaintiff and Part 'B' schedule is demarked in the sketch enclosed along with Advocate Commissioner Report to the Defendant 1 and 2.

This Suit along with application coming on this day before this court for hearing, the Court made the following order:-

This application has been filed seeking to pass a final decree pursuant to the preliminary decree dated 01.03.2018 made in C.S.No. 688 of 2015.

2. An Advocate Commissioner was appointed to inspect the property and suggest the mode of division and he has filed a report and plan. As per the plan, the Commissioner has suggested that the portion marked as Part-A measuring 1,118 Sq.ft. will be allotted to the plaintiff V.Vaithiyanathan and a portion marked as Part-B measuring about 1,118 Sq.ft. will be allotted to the defendants S.Manimegalai and S.Vijayalakshmi and a common area measuring about 110 Sq.ft will be left for the enjoyment of the parties.

2. Both the parties had made endorsement to the effect that the final decree can be passed as per the suggestions made by the Commissioner. Hence, this application is

allowed, the portion marked as Part-A in the plan submitted by Er.G.L.Dhamodharan, Civil Engineer dated 11.08.2018 is allotted to the plaintiff and the portion marked as Part-B in the said plan is allotted to the defendants 1 and 2. The plan will also form in part of the final decree. No costs.

Sd./-R.S.M.J
04/06/2019

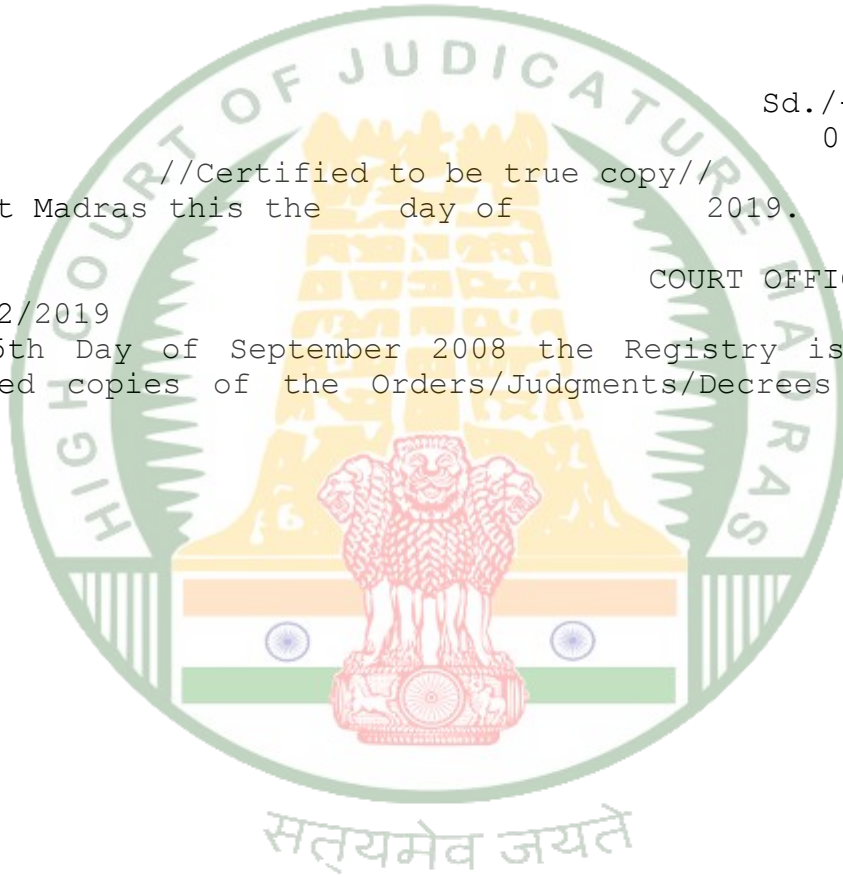
//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER(O.S.)

jj 05/12/2019

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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