

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 14.02.2017

PRONOUNCED ON : 01.12.2020

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

C.S.No.452 of 2005

- 1.V. Nandakumar (Since deceased)
2. N. Vasuki
- 3.N. Hemalatha
4. N. Saritha
5. N. Sudharshan

(plaintiffs 2 to 5 are brought on record as legal heirs
of the sole plaintiff, as per order dated 23.01.2017
in Appln No.245 of 2017)

... Plaintiffs

.Vs.

- 1.V. Rajasekar S/o. Late N. Venkatesan
- 2.V. Vasudevan S/o. Late N. Venkatesan
- 3.N. Gajalakshmi W/o. Elumalai
- 4.B.Pajambal. W/o.Baskar
- 5.T. Kasthuri W/o. Thiruvengadam
- 6.P. Revathi W/o. J. Padmanabhan
- 7.E.Umasankari W/o. Elangoavan
8. S. Mythili W/o. Sampath
9. R.Umamahesh S/o. Rajasekaran
10. Ganga Real Estate

Rep by its proprietor: G. Balaji
No.20, Vivekanandanagar Main Road,
Kolathur, Chennai - 99

....Defendants

PRAYER : Civil suit filed praying for judgment and decree against the defendant as follows:-

- (i) For partition of the suit schedule A and B properties viz., "the plaintiff is entitled 1/4th share in Schedule "A" & "B" properties towards his share and 1/9th share from his father's 1/4th share in schedule "A" and "B" properties" by metes and bounds and divide the properties among the plaintiff and defendants 1 & 2 morefully described in the schedule A and B hereunder;
- (ii) For Permanent injunction restraining the defendants herein their men agents, subordinates or anybody else claiming under or through them from encumbering, dealing or alienating the schedule A and B properties in favour of 10th defendant or any third party;
- (iii) To award cost of the suit

For Plaintiffs : Mr.K.R. Krishnan

For Defendants : Mr. P. Sankaran

J U D G M E N T

The gist of the plaint filed by the plaintiffs is as follows:-

The suit properties are ancestral properties and the same have been derived by Late N. Venkatesan in and by partition deed dated 09.03.1960, which is duly registered as document No.645 of 1960 among the Joint Family and from the date of partition, the father of the deceased 1st plaintiff and

defendants 1 to 8 were in absolute possession and enjoyment of the schedule properties without any hindrance or interference from any quarters.

(b)The Plaintiffs state that the deceased first plaintiff and the first and second defendants are sons and the defendants 3 to 8 are the daughters of late N. Venkatesan and during his life time, he enjoyed the properties mentioned in the Schedule A and B along with his sons and daughters jointly and peacefully. As the defendants 3 to 8 being the female members, the deceased 1st plaintiff and defendants 1 & 2 herein spent money and arranged marriage for them from and out of the shares what they got out of the properties of the Schedule A and B. Since the defendants 3 to 8 have received their share amount, they are not entitled to any share in the Schedule A and B properties. However, they have been impleaded in the present suit as the necessary parties.

(c) After the marriage of the defendants 3 to 8, the deceased 1st plaintiff, defendants 1 & 2 and their father N. Venkatesan were jointly enjoying the suit property without any interruption from any quarters. After the death of their father N. Venkatesan on 02.06.2002, the deceased 1st plaintiff and defendants 1 & 2 have been in possession and enjoyment of the properties. Even though

the properties mentioned in the Schedule A is fetching the rental income, only the defendants 1 & 2 are enjoying the same all these years without showing the accounts. Despite so many effort made by the deceased first plaintiff demanding the defendants 1 and 2 to show the details of rental income, neither they have submitted the details of rental income nor shared the rental income to the deceased 1st plaintiff.

(d) The plaintiffs further stated that even though the deceased 1st plaintiff is entitled for 1/3rd share in the Schedule A and B properties, the defendants 1 & 2 are evading to provide the share of the deceased 1st plaintiff and they are colluded with the defendants 3 to 8. Further it was stated that their father N. Venkatesan had executed a Will on 11.09.2000 stating that the Schedules A and B properties are absolute properties of his own. Since the Schedule properties are the ancestral properties derived from the father of N. Venkatesan, as per the partition deed dated 09.03.1960 with Doc.No.645 of 1960, and not the absolute properties, N.Venkatesan has no right to execute the Will. Under this circumstance, the defendants 1 to 8 are attempting to sell the properties in favour of the defendants 9 & 10 illegally and unlawfully by denying the claim of the deceased 1st plaintiff. The Will dated 11.09.2000

executed by N. Venkatesan, father of the deceased 1st plaintiff and defendants 1 to 8, is not binding on the deceased 1st plaintiff or on the defendants 1 to 8 since the properties are derived from the ancestor. Further it was stated that the defendants 3 to 8 have already got their share and they are not entitled to any partition, whereas the defendants 1 and 2 are only parties to make partition among ourselves in respect of the suit properties. The effort made by the deceased first plaintiff requesting the defendants 1 and 2 with regard to partition among ourselves, leaving the defendants 3 to 8 become vain. Since the deceased first plaintiff is entitled for mesne profits, the defendants 1 and 2 herein have to furnish the statement of accounts having the details of total rent receipts from the above said suit properties. Hence, the suit has been filed for partition.

3.The contentions made in the written statement filed by the defendants are as follows:-

(a) The defendants filed the written statement jointly denying the allegations made in the plaint. It is stated that the coparcenary property alone is divisible, whereas the suit properties are not coparcenary properties, as claimed by the deceased 1st plaintiff and hence the suit for partition is liable to

be dismissed as it is not maintainable in the eye of law or on facts.

(b) It is further stated that the suit properties were obtained by Late.N.Venkatesan, father of the deceased 1st plaintiff and the defendants 1 to 8 through a family arrangement in the year 1960 in lieu of partition and maintenance. The properties are inherited from a collateral relation, i.e. from a female and hence it is separate properties and is not the ancestral properties. In view of the above, his male issue cannot take any interest by birth and cannot claim partition. The deceased 1st plaintiff has no equal right as coparcener on the separate properties of his father. The separate properties of a member or member of a family cannot be the subject matter of partition.

(c) It is further submitted that the suit properties were given to N.Venkatesan, father of the deceased 1st plaintiff and the defendants 1to 8, expressing intention that it should be taken by him absolutely without any hindrance of the legal heirs or any other person. Hence, the suit properties are deemed to be self-acquired properties of father and it is impartible.

(d) It is further stated that the suit properties were possessed and enjoyed

by Late N. Venkatesan, father of the deceased 1st plaintiff and the defendants 1 to 8 till his death. It was denied the averments of the plaintiffs that the deceased 1st plaintiff and defendants 1 and 2 spent money for the marriage expenses of the defendants 3 to 8 from the income of the suit properties and the defendants 3 to 8 have received their share amount and not entitled to any share in Schedule A & B properties. In the event of prevailing law of the land, the defendants 3 to 8 are equally entitled to a share in the properties of their father. After the death of their father N. Venkatesan, the respective parties inherited the properties and enjoying their respective shares as mentioned in the Will. It is relevant to submit that the defendants 1 and 2 have filed an O.P. No.688 of 2004 for probate before this Court and except the deceased 1st plaintiff, other beneficiaries filed their consent affidavit. The beneficiaries in the Will are getting rental income from their respective shares allotted to them in the Will. Since the deceased 1st plaintiff was also receiving the rental income, he is not entitled to demand for the statement of accounts with regard to rental receipts. The deceased 1st plaintiff never demanded partition of the suit property as alleged in the plaint for which he is not entitled to. Moreover, No legal right to state that the defendants 3 to 8 are not entitled to any relief in the suit property.

(e) It is further stated that immediately after the family arrangement in lieu of partition in the year 1960, the parties in the deed severed in status and their condition as coparcener shall cease and hence, the property obtained by their father Late Venkatesan is separate and absolute property. Hence, their father Late. N. Venkatesan has every right to execute any document in favour of his choice. The deceased 1st plaintiff was not entitled to ask for partition of the self acquired property of his father. Even assuming it is a partition deed, the deceased 1st plaintiff has not included necessary parties for re-opening of partition. Hence, in the absence of necessary parties and not including the entire properties, the suit is liable to be dismissed for non-joinder of parties.

4. Based on the pleadings and documents filed by both parties and submission made by both the Counsel the following issues have been framed by this Court on 30.09.2010 :-

i. Whether the the properties described in A & B Schedule of the plaint are the ancestral properties or self acquired properties of plaintiff's father?

ii. Whether the Will dated 11.09.2000 executed by one N. Venkatesan, who is the father of the plaintiff is not binding upon him?

iii. Whether the Plaintiff is entitled for passing of

final decree of partition by measuring and dividing his share of schedule A & B properties by metes and bounds and to hand over his respective shares by appointing an advocate commissioner?

iv. Whether the suit is maintainable?

v. Whether the suit property is divisible as prayed for by the plaintiff when the suit property is not coparcenary?

vi. Whether defendants 3 and 8 are equally entitled to a share in the property of their father? and

vii. To what other reliefs are the parties entitled to?

5. After framing of issues, during trial, on the side of the plaintiffs, P.W.1 was examined and marked Exs.P1 to P31. On the side of the defendants, DW1 to DW8 were examined and marked Exs.D1 to D2.

6. Heard the rival submissions made on both sides and perused the materials available on record.

7. During pendency of the suit, the sole plaintiff died and his legal heirs have been impleaded as plaintiffs 2 to 5.

8. The Plaintiffs 2 to 5 are the legal heirs of the deceased first plaintiff. The first and second defendants are the brothers and the defendants 3 to 8 are the sisters of the deceased first plaintiff. The case of the plaintiffs is that the suit properties are the ancestral properties and the same have been derived by late N.Venkatesan, father of the deceased first plaintiff and the defendants 1 to 8 in and by partition deed dated 09.03.1960 and he was absolute owner and in possession and enjoyment of the suit properties, without any hindrance or interference from any quarters. During the life time of N.Venkatesan, the suit properties had been jointly enjoyed by the first plaintiff and the defendants 1 to 8. As the defendants 3 to 8 are the female members, the deceased first plaintiff and the defendants 1 and 2 have arranged marriage for them and spent money from and out of the shares, what they got out of the properties. Since the defendants 3 to 8 have received their share, they are not entitled for any share in the suit properties. However, with abandon caution, they have been impleaded as parties to the suit. After the marriage of the defendants 3 to 8, the deceased first plaintiff, defendants 1 and 2 and their father N.Venkatesan had been jointly enjoying the suit properties without any hindrance and after the death of their father on 02.06.2002, the deceased first plaintiff and the defendants 1 and 2 were enjoying the suit properties. Even though the

properties mentioned in the A schedule is fetching rental income, only the defendants 1 and 2 are enjoying the rental income all these years, without showing the rental account. Despite demand made by the deceased first plaintiff, the defendants 1 and 2 had not shown any accounts. The deceased first plaintiff is entitled for 1/3 share in the A and B schedule properties, however, in collusion with the defendants 3 to 8, the defendants 1 and 2 are evading to provide share to the first plaintiff.

9. N. Venkatesan, father of the deceased first plaintiff and the defendants 1 to 8 had executed a Will dated 11.09.2000 stating that the A and B schedule properties are the absolute properties of his own. But the suit properties are derived by the father of N. Venkatesan through partition deed dated 09.03.1960, he has no right to execute the Will, as he had no absolute right over the properties. Now, the defendants 1 to 8 are attempting to sell the suit properties in favour of the defendants 9 and 10 illegally and unlawfully by denying the claim of the deceased first plaintiff. The Will executed by N.Venkatesan, is not binding either the deceased first plaintiff or the defendants 1 to 8, as the properties were derived from ancestral and since the defendants 3 to 8 had already got their share, they are not entitled for any

share, whereas, first plaintiff and the defendants 1 and 2 alone are entitled to make partition among themselves in respect of the suit properties. Hence, the suit.

10. The case of the defendants is that the suit properties are not the coparcenary properties, since the suit properties are acquired by N.Venkatesan, father of the deceased first plaintiff and the defendants 1 to 8, through partition deed and hence, the suit is not maintainable. The properties are inherited from a collateral relation i.e. from a female and hence, it is the separate property and not ancestral property. The deceased first plaintiff has no equal right as coparcener on the separate property of his father. The separate property of a member of a family cannot be the subject matter of partition. The suit properties were given to N.Venkatesan expressing that it should be taken by him absolutely without any hindrance of the legal heirs or any other person. Hence, the suit properties are deemed to be self acquired property of N.Venkatesan and it is impartible. The suit properties were in possession and enjoyment of N.Venkatesan, the deceased first plaintiff and the defendants 1 to 8. After the amendment of the Hindu Succession Act, daughters are also entitled to get share in the ancestral property and they are also the coparceners in the ancestral property. As per the Will executed by N.Venkatesan, the

beneficiaries in the Will are getting rental income from their respective shares allotted to them and the deceased first plaintiff had also got rental income. Therefore, the plaintiffs are not entitled to get any relief.

11. The learned counsel appearing for the plaintiffs would submit that the suit property originally belonged to one C.Vedachalam Pillai, grand father of N.Venkatesan. He died in the year 1932 leaving behind his wife Krishammal, sons C.V.Natesa Pillai and C.V.Arumugam Pillai as his legal heirs. Mr.C.V.Natesapillai, father of N.Venkatesan died in the year 1950. Therefore, a family arrangement cum partition was entered into between C.V.Arumugapillai, Krishnammal, son and wife of C.Vedechalam Pillai and N.Venkatesan, son of C.V.Natesa Pillai on 09.03.1960.

12. As per the settlement cum partition deed dated 09.03.1960, which is marked as Ex.D1, B schedule property was allotted to N.Venkatesan, father of the deceased first plaintiff and the defendants 1 to 8. After the partition, the deceased first plaintiff and the defendants 1 to 8 were enjoying the property along with their father N.Venkatesan. The said N.Venkatesan died on 02.06.2004. Since the properties were derived from great grand father

C.Vedachalam Pillai and the father of N.Venkatesan namely C.V.Natesapillai was also died, B schedule property therein was allotted to N.Venkatesan and therefore, the suit properties are the ancestral properties. As the deceased first plaintiff and the defendants 1 and 2 are the male members and coparceners, they are entitled to get share in the suit properties and the defendants 3 to 8 being the femal members, are not entitled to any share in the ancestral property, as they are not coparceners. Therefore, the plaintiff is entitled to 1/4 share in the suit schedule properties, which were allotted as B schedule property to N.Venkatesan as per partition deed dated 09.03.1960 (Ex.D1). Accordingly, N.Venkatesan, father of the deceased first plaintiff and the defendants 1 to 8, is not entitled to execute a Will, during his life time in favour of his sons, daughters and grandson with respect to the ancestral property. If he was willing to execute such Will, he can only execute the same with regard to his 1/4 share in the suit properties. Therefore, the Will executed by N.Venkatesan with regard to the entire suit properties is not valid and it will not bind the deceased first plaintiff and after his death it will not bind the plaintiffs 2 to 5. Since the defendants 1 and 2 are in possession of the properties and getting rents from the A schedule property, they are liable to rend the accounts. Though the first plaintiff during his life time demanded for partition and rendition of

accounts, the defendants 1 and 2 refused to give any response. Therefore, he filed this suit for partition and to allot 1/4 share in the the A and B schedule properties as his share and to allot 1/9 share from his father's share in the A and B schedule properties. Since the first plaintiff died during pendency of the suit, his legal heirs have been impleaded as plaintiffs 2 to 5.

13. The learned counsel appearing for the defendants would submit that the properties are testified from the family members and therefore, they are not the ancestral properties. If it is ancestral properties, all the male and female members are entitled to get share. Hence, the defendants 3 to 8 are also entitled for partition. N.Venkatesan, father of the deceased first plaintiff and the defendants 1 to 8 had executed a Will dated 11.09.2000 (Ex.D2) bequeathing the properties, which is the subject matter of the suit schedule properties in favour of the first plaintiff and the defendants 1 to 8 and his grandson. As per the Will, the plaintiff and the defendants are entitled to get their respective shares, however, not otherwise as a coparcener. Since the deceased first plaintiff was getting rental income from his share, the plaintiffs are not entitled for partition and rendition of account and the suit is liable to be dismissed.

14. Issue No.1

As per the settlement cum partition deed Ex.D1 as well as Ex.P2 dated 09.03.1960, C. Vedachalam Pillai had acquired the A schedule property described therein in his name or in the joint names of himself and his mother or of himself and his wife Krishnammal. Therefore, the properties were enjoyed as joint family properties and after which, other properties have also developed. A perusal of the documents show that C.Vedachalam Pillai got three sons namely i) C.V.Arumugam, C.V.Natesan and C.V. Varada Pillai, who predeceased to C.Vedachalam as a bachelor. The above Vedachalam Pillai died in the year 1932 leaving behind his wife Krishnammal, his sons Arumugam Pillai and Natesan Pillai. The said C.V.Natesan died in the year 1950 leaving his only son N.Venkatesan, the father of the deceased first plaintiff and the defendants 1 to 8. Therefore, Krishnammal, Arumugam Pillai and Venkatesan were enjoying the properties as ancestral properties and in view of the same, the above settlement cum partition deed was effected between them, thereby A schedule property was allotted to C.V.Arumugam Pillai, B schedule property was allotted to N.Venkatesan (father of the deceased first plaintiff and the defendants 1 to 8) and C schedule property was allotted to Krishnammal as life interest and after her life time, her share has to go to her legal heirs. The

properties allotted to N.Venkatesan are the subject matter of the suit properties, which is described as A and B schedule properties in the plaint. Therefore, undoubtedly, the said properties, which had come to the hands of N.Venkatesan are the ancestral properties and it is not the self acquired properties of the said N.Venkatesan. As such, without any partition, the deceased first plaintiff, defendants 1 to 8 and their father N.Venkatesan were enjoying the properties.

(a) Though the said N.Venkatesan executed a Will on 11.09.2000, on the date of executing the Will, the deceased first plaintiff, and the defendants 1 and 8 are the coparceners along with him. As per Section 29(A) of the Tamil Nadu State Amendment to the Hindu Succession Act, 1989 all the female members are also coparceners. The plaintiffs have not stated in the plaint as to when the defendants 3 to 8 got married and that on the date of executing the Will, the properties were not partitioned. Therefore, after the amendment of Hindu Succession Act, 1989, all the male and female members are the coparceners of the ancestral properties and they are entitled for share in the properties. Accordingly, N.Venkatesan and his legal heirs i.e. the deceased first plaintiff and the defendants 1 to 8 are equally entitled to get 1/10 share in the suit

properties and the above N.Venkatesan is entitled to execute a Will only in respect of his 1/10 share. Therefore, the Will executed by N.Venkatesan in respect of the entire properties is not valid and not binding the shares of the coparceners i.e. plaintiffs and defendants 1 to 8.

(b) The Ex.P1 genealogical table, Ex.P2 copy of the partition deed dated 09.03.1960 and also the oral and documentary evidence proved that the suit properties are the ancestral properties and not the self acquired properties of N.Venkatesan, father of the first plaintiff and the defendants 1 to 8. Accordingly, this issue is answered.

15. Issue No.2 and 3:

As already stated, the suit properties are ancestral properties and it is not the self acquired property of N.Venkatesan, father of the deceased first plaintiff and the defendants 1 to 8. Hence, N.Venkatesan is not entitled to execute the Will in respect of the entire suit property and the Will dated 11.09.2000 executed by N.Venkatesan is not binding the 1/10 share of the deceased first plaintiff. Accordingly, the plaintiffs are entitled to get preliminary decree for partition of the suit properties by metes and bounds in respect of their 1/10

share and separate possession over the A and B schedule properites by appointing Advocate Commissioner.

16. Issue No.4

As already decided that the suit properties are the ancestral properites, the suit filed by the plaintiffs for partition is maintainable and the issue is answered accordingly.

17. Issue No.5

As already decided, the propertis are the ancestral properties of N.Venkatesan, father of the deceased first plaintiff and the defendants 1 to 8. Therefore and as per the Tamil Nadu amendment of Hindu Succession Act, female members i.e. the defendants 3 to 8 are also the coparceners in the ancestral properties and they are also entitled to get each 1/10 share in the suit properties.

18. Issue No.6:

Admittedly the defendants 3 to 8 are the dauthers of N.Venkatesan and till the year 2001, the properties were not divided at all. The deceased first

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plaintiff, defendants 1 to 8 and their father N.Venkatesan were jointly enjoying the properties till the date of death of N.Venkatesan on 02.06.2000 as coparcenary properties. More over the plaintiff did not state the date of marriage of the defendants 3 to 8. Therefore, the defendants 3 to 8 are also equally entitled to get 1/10 share each in the suit properties.

19. Issue No.7.

As already decided, the suit properties are the ancestral properties. Therefore, the plaintiffs are entitled to 1/10 towards their share in the suit A and B schedule properties. Since the plaintiff paid a court fee under Section 37(2) of the Tamil Nadu Court Fees and Suits Valuation Act, the plaintiffs are not entitled to get any other relieff.

20. In the result,

(i) Preliminary decree for partition is passed to divide the suit A and B schedule properties by metes and bound into 10 equal shares and to allot 1/10 share to the plaintiffs towards their share and also share from the 1/10 share of N.Venkatesan, father of the deceased first plaintiff and the defendants 1 to 8.

(ii) defendants are restrained from alienating or encumbering 1/10 share of the plaintiffs in the suit properties.

(iii) the parties are at liberty to file application to appoint Advocate Commissioner for such division.

(iv) As far as the 9th and 10th defendants are concerned, they are directed to work out their remedy in the final decree proceedings.

(v) Considering the relationship between the parties, they have to bear their respective costs.

01.12.2020.

Index : Yes/No
Internet : Yes/No
lbm/mst

List of Witness examined on the side of the plaintiffs

V. Nandakumar - PW1

List of documents marked on the side of the plaintiffs

SL. No	Exhibits	DESCRIPTION OF DOCUMENTS	DATED
1.	P1	Genealogical Table	----
2.	P2	Xerox certified copy of Settlement and Partition Deed	09.03.1960
3.	P3	Xerox copy of Death Certificate	----
4.	P4	Xerox copy of	----

		Encumbrance Certificate for the period from 1960 to 1991.	
5.	P5 Series (2 Nos.)	Original Encumbrance Certificates pertaining to 2003 to 2005.	----
6.	P6	Xerox copy of petition for probate filed on the file of Hon'ble High Court in O.P. No.688 of 2004	----
7.	P7	Xerox copy of written statement filed on the file of Hon'ble High Court in T.O.S. No.28 of 2005	----
8.	P8	Certified copy of Fair order passed in O.A. No.950 of 2007 in C.S.No.2005 on the file of the Hon'ble High Court	----
9.	P9	Property Tax receipt extract issued by Corporation of Madras	22.03.1993
10.	P10	Copy of Caveat Petition No.161 of 2005 filed by the Plaintiff in O.P. No.688 of Certified copy of the letter	08.06.2005
11.	P11	Office copy of Legal Notice issued by the Plaintiff counsel to his sister Gajalakshmi, 3rd defendant	29.12.2011
12.	P12	Office copy of Legal Notice issued by the Plaintiff counsel to his sister Rajambal, 4th defendant	29.12.2011
13.	P13	Office copy of Legal Notice	29.12.2011

		issued by the Plaintiff counsel to his sister Kasthuri, 5th defendant	
14.	P14	Office copy of Legal Notice issued by the Plaintiff counsel to his sister K. Revathi, 6th defendant	29.12.2011
15	P15	Office copy of Legal Notice issued by the Plaintiff counsel to his sister Umashankari, 7th defendant	29.12.2011
16	P16	Office copy of Legal Notice issued by the Plaintiff counsel to his sister Mythili, 8th defendant	29.12.2011
17	P17	Acknowledgment Card	02/12/2012
18	P18	Acknowledgment Card	03/12/2012
19	P19	Acknowledgment Card	02/12/2012
20	P20	Acknowledgment Card	03/01/2012
21	P21	Acknowledgment Card	04/01/2012
22	P22	Acknowledgment Card	02/01/2012
23	P23	Certified copy of the Fair and Decretal Order passed in O.A.No.950 of 2007	30.06.2008
24	P24	Certified copy of the Registered Will	10.03.1991
25	P25	Certified copy of the Will	2.09.1998
26	P26	Orders passed by R.D.O., Ponneri.	20.08.2004
27	P27	Copy of appeal submitted by the plaintiff to D.R.O. Thiruvallur.	12.10.2004
28	P28	Xerox Copy of the Sale	29.03.2007

		Deed	
29	P29	Certified copy of the order executed by Corporation of Chennai	25.02.1963
30	P30	Certified copy of the order passed in Contempt petition No.302/2008	15.10.2008
31	P31	Encumbrance Certificate	30.04.2012

List of Witness examined on the side of the defendants

V. Rajasekar	-	DW1
V. Vasudevan	-	DW2
N.Gajalakshmi	-	DW3
B.Rajambal	-	DW4
T.Kasthuri	-	DW5
P.Revathi	-	DW6
Uma Sankari	-	DW7
S.Mythili	-	DW8

List of documents marked on the side of the defendant

SL. No	Exhibits	DESCRIPTION OF DOCUMENTS	DATED
1.	D1	Certified copy of the partition deed	09.03.1960
2.	D2	Xerox Copy of the Probate Order	07.03.2008

01.12.2020.

(P.V.J.)

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P. VELMURUGAN, J.

mst/lbm



Judgment in
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