



Appeal Suit No. 923 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 20.09.2023

Delivered on : 27.11.2023

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

Appeal Suit No.923 of 2010
and M.P.No.1 of 2015
and Cross Objection No.43 of 2011
and C.M.P.No.2425 of 2022

1.R.Amudha
2.R.Geetharani
3.R.Rajeshwari
4.Rajendran
5.Ramakrishnan
6.Radhakrishnan (died)
7.Master R.Sridhar Iyyan

... Appellants

Represented by his mother and natural guardian R.Rajeswari 7th Appellant brought on record LR's of the deceased 6th appellant viz., of the deceased viz Radhakrishnan vide Court order dated 23.02.2022 made in M.P.No.4 of 2015 in A.S.No.923 of 2010

Vs

1.B.Banumathi
2.R.Jayashree
3.B.Sugunyadevi
4.S.Ramamani
5.S.Ramanathan @ Ramesh
6.S.Muthukumar @ Suresh
7.B.Sarojadevi (deceased)



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8.N.Rangasamy
9.K.Balasubramaniam
10.S.Shanthi
11.B.Arunadevi
12.B.Dhanalakshmi
13.B.Saranya

... Respondents

PRAYER:- This First Appeal has been filed under Section 96 of the Civil Procedure Code, seeking to set aside the judgment and decree passed by the learned Additional District & Sessions Judge, (Fast Track Court-IV), Coimbatore at Tiruppur, dated 31.08.2010 passed in OS.No.455 of 2004.

For Appellants : Mr.N.Kumar Rajan
for M/s.Kumar & Baskar

For Respondents : Mr.A.E.Ravichandran for RR1 to 3
RR4 to 6 left
R7 – Died
RR 8, 9, 11 & 13 served – no appearance
RR10 and 12 – not claimed

CROSS OBJECTION No.43 of 2011

1.B.Banumathi
2.R.Jayashree
3.B.Suganyadevi

... Cross Objectors

Vs

1.R.Amudha
2.R.Geetharani
3.R.Rajeshwari



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4.Rajendran
5.Ramakrishnan
6.Radhakrishnan
7.S.Ramamani
8.S.Ramanathan @ Ramesh
9.S.Muthukumar @ Suresh
10.B.Sarojadevi (Deceased)
11.N.Rangasamy
12.K.Balasubramaniam
13.S.Shanthi
14.B.Arunadevi
15.B.Dhanalakshmi
16.B.Saranya ... Respondents
(notice not necessary for R7 to R16 hence given up)

For Appellants : Mr.A.E.Ravichandran
for M/s.Kumar & Baskar

For Respondents : Mr.N.Kumar Rajan for RR1 to 6
for M/s.Kumar and Baskar
RR7 to 16 given up

COMMON JUDGMENT

Judgment delivered by K.KUMARESH BABU.,J.

The defendants 4 to 9 had preferred this appeal suit as against a decree of declaration granted by the trial Court. The plaintiffs have also filed a Cross Objection on the disallowed portion namely a relief for perman-



ent injunction.

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2. The brief facts of the case is as follows.

2.1. The suit schedule property originally belonged to one Balusamy Chettiyar, who had executed various Sale Deeds on 06.12.1978 disposing of a portion of the property in favour of his wife Angulakshmi Ammal, another portion in favour of the first plaintiff, who is his daughter and also by other separate instrument to his two other daughters who are the 1st and 10th defendants.

2.2 On 05.12.1994, under Ex.P3, the said Angulakshmi Ammal had executed a Will bequeathing 42 cents of the suit property in favour of the 1st plaintiff and a house site measuring 1200 sq.ft. in favour of the 2nd plaintiff and 75 cents of suit schedule property in S.No.410 to the 11th defendant, who is also a grandson of the said Angulakshmi Ammal. The said Angulakshmi Ammal died on 15.02.2002. After the death of the said Angulakshmi Ammal, the defendants started to interfere with the possession



of the suit property by claiming that the said Angulakshmi Ammal had executed Ex.D4 on 12.12.2001 bequeathing the suit properties in favour of the 1st defendant who is also her daughter and that the 1st defendant by two separate settlement deeds had settled the said property in favour of the 2nd and 3rd defendants under Ex.D3. Therefore, the 2nd and 3rd defendants had become the rightful owner of the property who in turn had executed sale deeds on 11.06.2003 under Exs.D1 and D2 in favour of defendants 4 to 6.

2.3 The plaintiffs had initiated a suit which was taken on the file in the Court of the Additional District and Session Judge (FTC-III), Coimbatore as O.S.No.455 of 2004.

2.4 Considering the pleadings, the learned trial Judge had framed five issues, which are as follows:

1. Whether the Will executed by Angulakshmi Ammal on 05.12.1994 in favour of the first plaintiff is acceptable?

2. Whether the plaintiffs have been in



possession and enjoyment of the suit schedule property as per the will dated 05.12.1994?

3. Whether the Will executed by Angulakshmiammal on 12.12.2001 in favour of the first defendant is acceptable?

4. Whether the defendants 2 and 3 are entitled to get declaration as sought for? Whether defendants 2 and 3 are entitled to seek for permanent injunction?

5. For what other reliefs the plaintiffs are entitled to?

2.5 Thereafter, two additional issues were framed under Order 14

Rule 5 of C.P.C, which are as follows:

1. Whether the plaintiffs are in possession of the suit schedule property?

2. Whether the defendants 4 to 9 had purchased the suit schedule property with an good intention?



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2.6 Before the learned judge on the side of the plaintiffs, the husband of the 1st plaintiff Balasanjeevi was examined as P.W.1, and M.Ramakrishnan who was the attesting witness to Ex.P3 was examined as P.W.2, the doctor who treated the testatrix was examined as P.W.3 and one Rajan was examined as P.W.4 and exhibits P1 to P20 were marked. On the side of the defendants, the 7th defendant Rajendran was examined as D.W.1, and G.K.Elango, who is the attesting witness to the Ex.D4 was examined as D.W.2 and Shanmugam, the Notary to the Ex.D4 was examined as D.W.3 and Exs.D1 to D15 were marked.

2.7 The learned judge considering the pleadings, oral and documentary evidence, held that the plaintiffs are the owners of the suit schedule property by virtue of the Will and Settlement deed dated 05.12.1994 and 29.07.2002 respectively. The prayer sought for permanent injunction as against the defendants 4 to 9 was dismissed. The learned trial Court judge by the judgment and decree dated 31.08.2010, partly decreed the suit.



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3. Heard Mr.N.Kumar Rajan, for M/s Kumar and Baskar, learned counsel appearing for the appellants, and respondents 1 to 6 in cross objection. Mr.A.E.Ravichandran, learned counsel appearing for respondents 1 to 3 and for appellants in cross objection. It is pertinent to note that despite notice being served on respondents 8, 9, 11 and 13 none has appeared before this court either in person or through a counsel. For respondents 4 to 6 endorsement is shown as they left the said address and for respondents 10 and 12 the endorsement is shown as not claimed.

4. For better understanding and appreciation the parties to these proceeding shall be identified by their rank in the plaint.

5. Mr.N.Kumar Rajan, learned counsel appearing for the appellants, viz., defendants 4 to 9 and respondents 1 to 6 in cross objection would submit that the Will dated 05.12.1994, on which the plaintiffs allege that they are owners of the suit schedule property is a fabricated Will which is not genuine and valid. The 1st plaintiff has no right or any title in the



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suit property as the deceased Angulakshmi Ammal had not executed any Will dated 05.12.1994. The settlement deed dated 29.07.2002, executed by the 1st plaintiff in favour of 2nd and 3rd plaintiffs is not valid and binding on them as the 1st plaintiff herself has no title in the suit property.

5. He would submit that the deceased Angulakshmi Ammal, while she was in a sound disposing state of mind during her lifetime on 12.12.2001, has executed a Will bequeathing the suit property in favour of her eldest daughter S.Ramamani, the 1st defendant. Subsequently after the demise of Angulakshmi Ammal the said S.Ramamani has executed a registered Settlement deed dated 29.05.2002 in favour of her sons viz. the defendants 2 and 3. He would further submit that the deceased Angulakshmi Ammal was not suffering from any health ailments and she was in possession and enjoyment of the suit property till her life time. Only after her demise the 1st defendant came to be in possession of the property.

6. He would further submit that under two different sale deeds dated 11.06.2003, the defendants 4 to 9 had purchased the suit schedule



property for a valid sale consideration from the 2nd and 3rd defendants and now the defendants 4 to 9 are in absolute possession and enjoyment of the suit schedule property.

7. It is further submitted that the Will dated 12.12.2001, in favour of the 1st defendant and the Settlement deed dated 29.05.2002, in favour of the defendants 2 and 3 are valid and therefore the defendants 2 and 3 have got right under the settlement deed and therefore the Sale deeds in favour of defendants 4 to 9 are also valid.

8. He would submit that the 1st plaintiff after knowing the fact that the 1st defendant has executed a Settlement deed in respect of the suit property in favour of her sons, appears to have executed and registered Settlement deeds on 29.07.2002 in favour of her daughters i.e., plaintiffs 2 and 3, this is done with an malafide intention to create confusion. Based on the settlement deed the plaintiffs 2 and 3 are trying to trespass into the suit property.



9. He would further submit that when the relatives of the plaintiffs have attempted to trespass into the suit property, the same was resisted by the defendants 1 to 3. On which an FIR No.334/2002 dated 04.08.2002 was registered in Anupparpalayam Police Station. The Revenue Divisional Officer, Tiruppur has initiated proceedings under Section 145 of Cr.PC. The Revenue Divisional Officer has held that the suit property is in possession and enjoyment of defendants 2 and 3. The panchayat has issued no objection certificate for the defendants 2 and 3 to sell the suit property and the president of the Thottipalayam has acknowledged the title and possession. The revenue records such as patta pass book, chitta and adangal extracts confirms the title and possession of the vendors of the defendants to the suit property.

10. He would further submit that the plaintiffs have no right or interest in the suit property at any point of time and on the other hand the defendants are in absolute possession. Therefore, he would pray to allow this appeal suit declaring the appellants herein as the owners of the suit schedule property as they have purchased the same from the title owners of



the land, and to dismiss the Cross Objection seeking permanent injunction as against these appellants/defendants.

11. Countering his arguments Mr.A.E.Ravichandran, learned counsel for the respondent 1 to 3 and appellants in Cross Objection submitted that R.Balusamy Chettiar and Angulakshmi Ammal, had three daughters and one son, the 1st plaintiff, 1st defendant and 10th defendant are the daughters, and their son Nandagopal predeceased Angulakshmi Ammal and his son is the 11th defendant, who is also the grandson of Angulakshmi Ammal. The property was initially owned by R.Balusamy Chettiar, on 06.12.1978, he had sold his land in four equal shares each measuring 62 cents in favour of his wife Angulakshmi Ammal, and to his three daughters.

12. On 05.12.1994, Angulakshmi Ammal, executed a registered Will bequeathing her share of 42 cents to the 1st plaintiff, and an house site in S.F.No.410 measuring about 1200 sq ft to the second plaintiff and to the 11th defendant 75 cents in S.F.No.410 including bank deposits. Thereafter on 15.02.2002 Angulakshmi Ammal died, after her demise, the 1st plaintiff



became the absolute owner of the suit property and house site Nos 3 & 5 in S.F.No.410 in Thottipalayam Village, Tiruppur Taluk she was in possession and enjoyment of the same as an absolute owner.

13. He would further submit that after the demise of the 1st plaintiff's mother, claiming that Angulakshmi Ammal had executed a Will dated 12.12.2001, in favour of the 1st defendant, and the 1st defendant had executed a Settlement deed in favour of her sons i.e., the 2nd and 3rd defendants, had sold the property to defendants 4 to 9.

14. He would further submit that the 1st plaintiff has effected paper publication in Dhina Malar dated 17.07.2002 stating that the 1st plaintiff is the absolute owner and is in possession and enjoyment of the suit property and for the site No. 3 and 5 in S.F.No.410 in Thottipalayam village, Tiruppur Taluk in pursuance of the registered Will dated 05.12.1994. Learned counsel would further submit that the 1st plaintiff has executed a registered Settlement deed dated 29.07.2002 vide document No.1057/2002 and 1056/2002 by which the 1st plaintiff has bequeathed her undivided half



share in the suit property to the 2nd and 3rd plaintiffs absolutely. Thereafter, the plaintiffs 2 and 3 are absolute owners and are in possession and enjoyment of the suit property with effect from 29.07.2002.

15. He would submit that the testatrix Angulakshmi Ammal, had suffered from Arthritis problem. On 27.02.2001, Angulakshmi Ammal had fallen in front of the house and had suffered paralysis on her right hand and right leg, and was being treated in KG Hospital Coimbatore, and all the expenses were met out by the 1st plaintiff's family. He would further submit that when the plaintiffs had taken Angulakshmi Ammal for treatment the defendants 1 to 3 had trespassed into the house of the 1st plaintiff at Tiruppur and damaged the properties and threatened the plaintiffs and demanded share in the properties of Angulakshmi Ammal.

16. He would further submit that after the demise of Angulakshmi Ammal, the defendants 1 to 3 with the help of one Chinnasamy son of Periyasamy Gounder, had forged the signature of Angulakshmi Ammal and had created a alleged Will in favour of the 1st



defendant. He would submit that Angulakshmi Ammal after suffering paralysis was not able to sign in any of the documents much less move out of the house without any assistance for her to travel alone to Gobichettipalayam where the alleged Ex.D4 is claimed to have been executed.

17. He would further submit that the alleged unregistered Will which is said to be have executed by Angulakshmi Ammal was attested by a Notary public at Gobichettipalayam on 12.12.2001. But on that date Angulakshmi Ammal was at Salem taking treatment at the residence of the 2nd plaintiff. The Will that is said to have been attested by a notary by name C.Shanmugam is without the presence of Angulakshmi Ammal and it is a fabricated and forged document. Learned counsel would submit that the plaintiffs are the absolute owners of the suit schedule property and they are in possession and enjoyment of the same after the death of the testatrix Angulakshmi Ammal, and the alleged Will dated 12.12.2001, said to have been executed by Angulakshmi Ammal, is a forged document. Therefore, the judgment and decree of the Court below in declaring the plaintiffs as the ab-



solite owners of the suit property is right and it is prayed to dismiss the appeal suit and to allow the Cross Objection.

18. After considering the arguments and on perusal of the material available on record, I am of the view that the following issues arise for consideration in this appeal suit.

(a) Whether the Will executed by Angulakshmi Ammal under Ex.P3 is revoked in view of Ex.D4?

(b) Whether the Court below was right in holding that Ex.D4 is a fabricated Will?

(c) Whether the Court below was right in holding that the plaintiffs were not entitled to the relief of injunction in view of Exs.D13 and 14?

(d) Whether the defendants 4 to 9 have perfected title as claimed by them?

19. It is pertinent to note that the defendants 1 to 3 and 10 to 16, in spite of notice being served had failed to appear and had set *ex-parte* by the trial Court itself. Even before this Court, in spite of notice being



deemed to be served, there is no representation on their side.

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20. It is an undisputed fact that the property originally belong to one Angulakshmi Ammal. The case of the plaintiffs is that the said Angulakshmi Ammal under Ex.P3 had bequeathed the suit schedule property in favour of the plaintiffs as well as the 11th defendant. However, the defendants claim is based upon the Ex.D4, a Will to have been executed by the said Angulakshmi Ammal in favour of the 1st defendant, which was settled by the 1st defendant in favour of the 2nd and 3rd defendants under Ex.D3. The defendants 4 and 9 for valuable consideration had purchased the property from defendants 2 & 3 under Exs.D1 and D2. Before this Court, there are two Wills that have been claimed to have been executed by the said Angulakshmi Ammal which are Exs.P3 and D4. Ex.D4 is a document which was purported to be executed in the year 2001 before a Notary. Whereas, Ex.P3 is a document which is of the year 1994 which was registered document bearing Document No.207 of 1994. The law presumes validity of a registered document unless or until it is proved that the same had been executed by fraud or coercion. In such scenario, this Court would proceed to



see whether Ex.D4 had been validly executed.

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21. The case of the contesting defendants was that the said Angulakshmi Ammal used to frequently travel to Gobichettipalayam where she had contact with the 7th defendant and they used to regularly meet at a temple. During such a course of meeting the said Angulakshmi Ammal had envisaged to execute a Will in favour of the 1st defendant and hence, the 7th defendant had arranged execution of a Will in the presence of a Notary public who had been examined as D.W3 and D.W.2 attesor was examined to prove the Will which has also been attested by D.W.1.

22. However, the plaintiffs had relied upon Ex.P3, a re-registered document and had also examined P.W.2 an attesting witnesses along with P.W.1 to prove the Will under Ex.P3. They had also examined P.W.3 a Doctor who had treated the said Angulakshmi Ammal and had produced Ex.P.16 to P.19 to contend that the said Angulakshmi Ammal had suffered paralysis and had been taking treatment at Salem and therefore, on the alleged date of execution of Ex.D4, the Angulakshmi Ammal could not



have travelled without any support to Gobichettipalayam to execute Ex.D4.

The plaintiffs had also contented that the said Angulakshmi Ammal was resident at Tirupur and even the 1st defendant was also a resident of Tirupur and therefore, there was no possibility of the said Angulakshmi Ammal travelling to Gobichettipalayam to execute a Will in favour of her daughter with the help of a rank strangers.

23. With the above contentions raised by the respective parties, it would be useful to analyse the evidences of D.W.1 to D.W.3. A perusal of evidence of D.W.3, who was the Notary before whom allegedly Ex.D4 was executed have admitted to have been acted in contravention of the Notaries Act, 1952. He seems to have also not maintained any records which a notary is expected to maintain in the line of his duty as a Notary. Hence, I do not wish to even consider the evidence of D.W.3.

24. Now going to the evidences of D.W.1 and D.W.2. D.W.2 had admitted that Angulakshmi Ammal was a total stranger to him, he had attested the Will only on the behest of D.W.1. D.W.1 claims that An-



Angulakshmi Ammal used to frequently travel to Gobichettipalayam to visit a temple where he had established a good relationship with the said Angulakshmi Ammal and confiding to the trust that D.W.1 had envisaged with the said Angulakshmi Ammal, she had evinced her interest to execute a Will in respect of the suit schedule property in favour of the 1st defendant, who is her daughter. *A perusal of Ex.D4, it could be seen that the Angulakshmi Ammal had not made any statement as to revocation of the earlier Wills executed by her.* If really the said Angulakshmi Ammal had executed the said Will, she could be very much aware that she had already executed Ex.P3 and therefore, she would have to necessarily revoke the said Will. That apart, D.W.1 had not in clear terms had deposed as to what was the need for Angulakshmi Ammal to trust him to execute a Will at Gobichettipalayam of properties situated at Tirupur and also when the testatrix and the beneficiary of the Will ordinarily reside at Tirupur.

25. It is also further noted that Ex.P3 was a registered document and the attester of the document had deposed as to the execution of the Ex.P3 by the said Angulakshmi Ammal. The defendants had failed in their



attempts to dislodge the case of the plaintiffs in their endeavour of cross-examination of P.W.1 and P.W.2. Further the plaintiffs have also provided evidence through P.W.3 that the said Angulakshmi Ammal had suffered paralysis in the month of March 2001 and have been bedridden from that date till the date of her death ie., on 15.02.2002. When such was the evidence that was available before the Court, the defendants had not attempted by either dislodging the witnesses of P.W.3 and the documents marked as Exs.P.16 to 19 had not substantially produce any evidence that the said Angulakshmi Ammal was capable of travelling to Gobichettipalayam all by herself for executing Ex.D.4 which is dated 12.12.2001.

26. I am of the view that the contesting defendants are trying to rely upon the statutory technicalities to substantiate the Will. In such circumstances, I have also gone through the reasonings and findings of the Court below in disbelieving the Ex.D.4. Apart from the reasons afore-said, I am of the view that there is no infirmity in respect of the finding and reasonings arrived at by the trial Court in declaring that the suit property



belonged to the plaintiffs. The Court below had rejected the claim of the plaintiffs as regards to the permanent injunction by holding that the defendants 4 to 6 have proved to be in possession by producing Exs.D.13 and D.14. The Court had also taken into account the revenue proceedings that were pending between the plaintiffs and the defendants. Apart from the proceedings under Section 145, wherein, the possession of the contesting defendants was found. It is pertinent to note that the said proceedings were set aside in the further appeal proceedings which is marked as Ex.P.20 during the subsistence of the suit.

27. Ex.D13 and D14 are documents of the year 2008. Even in the written statement filed by the contesting witnesses they had not produced any document what so ever to make a claim that they are in possession of the property except a bald statement that they are in possession of the property. The said document was also not put to P.W.1 who had deposed on behalf of the plaintiffs. It is also very amusing to see that the trial Court have rendered a specific finding in respect of a property which is vacant. It is an admitted case that the suit schedule property are vacant property as has



been found by the trial Court. The further reasonings assigned by the trial Court in rejecting the case of the plaintiffs for a permanent injunction is that in spite of knowledge of Exs.P.13 and P14, the plaintiffs have not filed any application seeking amendment of plaint in a prayer for recovery of possession. Therefore, the learned trial Judge had arrived at an conclusion that the plaintiffs are not entitled for the relief of permanent injunction.

28. In my view, the finding arrived at by the learned trial Judge based upon the aforesaid findings particularly Ex.D13 and D14 is wholly erroneous and misplaced. I have perused Exs.D13 and D14 series. The said receipts indicate that the contesting defendants had obtained a power connection in the year 2008. The said document was sought to be relied upon by the contesting defendants without any pleading what so ever in respect of the said documents. In this context, I wish to deal with the provisions of the Civil Procedure Code relating of marking of documents, viz., Order XIII Rule 1 of CPC, for better appreciation the relevant provision is extracted hereunder:



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“1. Original documents to be produced at or before the settlement of issues- (1) *The parties or their pleader shall produce, on or before the settlement of issues, all the documentary evidence of in original where the copies thereof have been filed along with plaint or written statement.*

(2) *The Court shall receive the documents so produced:*

Provided that they are accompanied by an accurate list thereof prepared in such form as the High Court directs.

(3) *Nothing in sub-rule (1) shall apply to documents,-*

(a) produced for the cross-examination of the witnesses of the other party, or

(b) handed over to a witness merely to refresh his memory.”

29. From a reading of the said provision, a document which had been marked without being relied upon by any of the pleading or a document that had been marked without leave of the Court cannot be looked into as a substantial evidence. This aspect has been clearly over looked by the learned trial Judge. Hence, I am of the view that the finding and reasonings based on the Ex.D.13 and D.14 should not at all have been arrived at by the trial Court. In that aspect, the said finding is wholly erroneous as being contrary to the provisions of the Civil Procedure Code and is there-



fore liable to be set aside. Apart from that a perusal of the said Ex.D13 and D14 series would show that the contesting defendants had been paying the minimum electrical charges which would conclusively prove that they had not been in possession of the property and this document Ex.D.13 and D14 series have been created for the purpose of the suit.

30. When the contesting defendants in their written statement had not pleaded anything of being in possession based on Ex.D13 and D14, they cannot be allowed to rely upon Ex.xD13 and D14. It is axiomatic that any documents which is dated after the filing of the suit would have to be necessarily marked only with the permission of the Court. There has been no pleading of the contesting defendants on the strength of Ex.D13 and D14 nor had been any application to take Exs.D.13 and D14 on record. In such circumstances, I do not find any error on the part of the plaintiffs in not seeking to amend the prayer. Further, I have categorically have come to conclusion that Exs.D13 and D14 series have been created by the contesting defendants to browbeat the rights of the plaintiffs by trying to take advantage of a document. It is also to be noted that the verocity of such documents



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have not been proved by the contesting defendants by examining any officer of the Electricity Department to claim that such documents are true and a valid documents.

31. In such circumstances, I am of the view that the reasonings and the findings arrived at by the trial Court that too of holding that in respect of a vacant land in which possession follows title, I hold that the reasoning and the finding arrived at by the trial Court is wholly erroneous and therefore, is liable to be set aside and the plaintiffs are also entitled for a grant of permanent injunction.

32. In fine, the judgment and decree passed by the Court below in reference to the prayer of declaration is affirmed and the prayer of permanent injunction is set aside and a decree for permanent injunction as prayed for by the plaintiffs is granted. In result, the appeal suit is dismissed and the Cross Objection is allowed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition are closed.

27.11.2023



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Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
gba

K.KUMARESH BABU.,J.

gba

To

1. The Additional District & Sessions Judge,
(Fast Track Court-IV),
Coimbatore, Tiruppur.
2. The Section Officer,
Vernacular Records, Madras High Court.

A Pre-delivery judgment made in

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and M.P.No.1 of 2015

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and Cross Objection No.43 of 2011
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