



WEB COPY



C.M.P.No.7351 of 2024
A.S.No.204 of 2024

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in

A.S.No.204 of 2024

RMT.TEEKAA RAMAN, J.

The unsuccessful plaintiffs are the appellants herein. They had filed a suit for partition in O.S.No.15 of 2014 on the file of the learned Additional District Judge (FTC), Vellore.

2. In the written statement, the defendants have filed that there was already a partition between the father of the plaintiffs and his brothers and marked as Exs.A3 to A9. This would show that the properties are already divided between the brothers of the plaintiff's father and the defendant's father.

3. The contention of the defendant was accepted and the suit was dismissed, hence the appeal.

4. Heard the learned counsel appearing for the petitioners.

5. M/s.C.S.Rajalakshmi, learned Legal-Aid-Counsel appearing for the respondents R1 to R4 and R11 and R12 contended that in view of the plea taken in the written statement that there was a partition effected between the father and sons and the original partition with the first defendant and relied upon the partition deed dated 10.07.1983 marked as Ex.A3 and that partition deed has acted upon and the parties have taken possession of the property and enjoying the same separately. This could be seen from Exs.A4 to A9 namely the pattas

<https://www.mhc-tamilnadu.gov.in/judis> and hence, I am not inclined to grant interim injunction.



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RMT.TEEKAA RAMAN,J.,

nvi

6. Accordingly, C.M.P.No.7351 of 2024 is dismissed.

22.07.2024

nvi

Note: The learned Legal - Aid - Counsel is entitled to collect the fees in the C.M.P.

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