



Application No. 1999 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2025

CORAM

THE HONOURABLE Mr. JUSTICE C.V.KARTHIKEYAN

Application No. 1999 of 2025
in C.S. No. 872 of 2015

Venkata Narayanan

... Applicant

-VS-

1. R.Palani
2. A.Sankara Subramanian
3. A.Shanmuga Sundaram @ D.A.Shanmugam
4. B.Umadevi
5. A.Padmini
6. R.Thiruvengadam
7. R.Raghavan
8. Revathy

...Respondents

Prayer: This application has been filed under Order XIV Rule 8 of the Original Side Rules read with Order XXXIV Rule 5(3) of CPC, praying to pass a final decree in C.S. No.872 of 2015 pursuant to the appeal decree of this Court dated 25.10.2024 in O.S.A. No. 98 of 2024 by dividing the schedule mentioned property by metes and bounds with possession.



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WEB COPY For applicant : Mr.B.Thiyagarajan

For respondents: Mr.P.Valliappan, Senior Counsel

For M/s.S.M.S.Shriram Narayanan (D6 to D8)

For Advocate

Commissioner: Mr.K.Annama-No appearance

ORDER

The Advocate Commissioner is not present today. The Advocate Commissioner has forwarded a report along with a sketch giving a proposal by which the property could be divided into three separate parts and allotting one share to the plaintiffs another share to the 1st defendant and yet another share to the 6th to 8th defendants.

2. A representation is made on behalf of the 1st defendant that questioning the preliminary decree, the 1st defendant has also filed an Original Side Appeal, but the said Appeal has not yet been numbered.

Independent of this, the 6th to 8th defendants have also filed an Appeal and in that appeal, the preliminary decree had been re-drawn granting an undivided 1/3rd share each to the plaintiff, to the 1st defendant and to the 6th to 8th defendants.



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3. The learned Advocate Commissioner had inspected the property and had given a report proposing a method of division of the said properties. The report of the learned Advocate Commissioner is taken on record.

4. A final decree is passed holding that the plaintiff is entitled to an undivided $1/3^{\text{rd}}$ share in the suit schedule property, the 1^{st} defendant is entitled to an another undivided $1/3^{\text{rd}}$ share in the suit schedule property and the 6^{th} to 8^{th} defendants are together entitled to an undivided $1/3^{\text{rd}}$ share in the suit schedule property as stipulated in the report of the Advocate Commissioner.

5. The report together with the sketch shall form part of the decree.

6. This application stands allowed.

25.06.2025

Maya



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C.V.KARTHIKEYAN, J.

Maya

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