IN THE HIGH COURT OF JUDICATURE AT MADRAS

Judgment reserved on :11.02.2026	Judgment pronounced on : 10.04.2026

CORAM

THE HON'BLE MR. JUSTICE P.B.BALAJI

A.S.No.234 of 2024
& CMP.Nos.8465 & 8468 of 2024

T.R.S. Jayaprakash .. Appellant / Plaintiff

Vs.

Parvathi (Died)
T.S.Ayyappan (Died)
S.Dhanalakshmi (Died)

1.S.Prema
2.A.Jayanandan
3.A.Gajendiran
4.Soundaravalli
5.S.Sathyabama
6.N.Parameshwari
7.S.Kalyani
8.T.Selvam
9.B.Kabaleeswaran
10.Ponnusamy (Died) ... Respondents 1 to 10/ Defendants 4 to 13
11.T.Sri Ram Thanigai
(R11 brought on record as Lrs of the deceased R1
vide Court order dated 01.08.2024 made in CMP(MD)
No.12354 of 2024)
.. Respondents

Prayer: Appeal Suit filed under Section 96 of the Code of Civil

Procedure, to set aside the judgment and decree dated 15.11.2023 made in O.S.No.287 of 2004 on the file of the Principal District Court, Vellore and the first appeal be allowed.

For Appellant : Mr.T.V.Ramanujun,
Senior Counsel
for M/s.B.Arvind Srevatsa

For Respondents : Mr.V.Raghavachari,
Senior counsel
for M/s.V.Srimathi
for R2 to R8 &10

: Mr.Manojkumar for R11

: R1 Died

: No appearance for R9

JUDGMENT

The plaintiff, in a suit for partition, aggrieved by the dismissal of the suit by the trial Court, is the appellant herein.

2.Pleadings:

The Plaint in brief:

2.1. T.R.Sundara Gounder is the father of the plaintiff; defendants 2 to 4 and husband of the first defendant and under an oral partition he became entitled to 'A' scheduled properties. 'A' Schedule properties are ancestral properties at the hands of the plaintiffs and the defendants 2 to 4. T.R. Sundara Gounder died on 10.03.1978 and his wife Parvathy died, pending suit viz., on 23.12.2010. The said Sundara Gounder was the Kartha of the joint family and had purchased several properties from and out of the income acquring from ancestral and joint family properties, viz.,, suit 'A' Schedule properties. However, he had chosen to purchase properties not only in his name, but also in the name of his sons, viz., the plaintiff and the second defendant, his wife viz., first defendant and his daughter viz., fourh defendant, besides also daughter-in-law, viz., 7th defendant. The said Sundara Gounder also constructed a residential bungalow at Thagaracheri Village in or about 1955, out of the joint family income. Though the properties were purchased in the names of the co-parceners and family members, the said Sundara Gounder, as kartha, was managing the properties and effecting improvements thereto viz., levelling the lands, digging new wells, deepening of existing wells and also purchased on agricultural vehicle, motor pumps and obtained service connections. The properties purchased by the Kartha are set out in 'B' Schedule to the plaint. Schedule 'A' nad 'B' properties got enormus income from the joint family properties. The main source of income for the Hindu Joint family is from the main crops like cotton, plaintain, sugar cane, paddy ragi and groundnut crops, which were cultivated in Schedules A and B properties.

2.2. The third defendant was not happy and her husband, deserted her, within few months of the marriage and therefore, she was forced to come back to the parent's house and eversince, the third defendant has been living in the joint family, in the ancestral house at Thagarapatti Village.

2.3. The second defendant's marriage was celebrated in a grand manner by the plaintiff's father and he is also living under the roof of the Hindu Joint Family along with the defendants 5 to 8. Similarly, the fourth defendant's marriage was also celebrated in February – 1977. The plaintiff was educated as Law Graduate by the father of the plaintiff.

2.4. After the death of Sundara Gounder, the second defendant, being the eldest member of the joint family, took charge as kartha and continued to raise cotton crops, generating substantial income. The second defendant also performed the marriage of the plaintiff. The fifth defendant is a law graduate; the sixth defendant is a medical practioner, whose education was also funded by the joint family, from and out of available surplus funds in the hands of the joint family. The second defendant also celebrated the marriage of the 8th defendant in a grand manner and had given 110 soverigns of jewels, besides Rs.75,000/- as Sreethana in the year 1985. The marriage expenses and the money required for Sridhana properties were also met out of surplus funds available to the joint family. Similarly, the marriage of the fifth defendant with the ninth defendant was also performed by the second defendant. Likewise, the marriage of the sixth defendant with the 10th defendant was also performed by the second defendant and both the said marriages were celebrated from and out of surplus income that had accured from the ancestral properties in Schedule 'A' and 'B.

2.5. The second defendant purchased a house site in the name of the plaintiff and the seventh defendant, besides house properties in the names of the defendants 5, 6, 8 to 10. Schedule 'C' and 'D' properties are also Hindu joint co-parcener properties and the plaintiff is entitled to a share in both the suit items. The second defendant Kartha started acting against the interest of the co-parceners and though the plaintiff tried to pacify the second defendant in the presence of the first defendant to effect an amicable parition, the second defendant has denied the plaintiff's due share in the suit properties. The defendants 3 and 4 are not also taking any steps in view of the status of the plaintiff's father in the village and they are hesitant to even to speak to the second defendant.

2.6. The seventh defendant executed a gift deed in respect of item No.1 of 'C' schedule property in favour of her daughter, the eighth defendant. The gift deed is void and will not bind the other co-parceners as the property was not the absolute property of the seventh defendant. The plaintiff therefore issued a lawyer's notice demanding partition on

29.07.1997. Despite service of notice, the second defendant as also the other defendants have not come forward to give any reply. Hence, the suit is filed seeking for partition and also the relief of permanent injunction and mesne profits.

3. Written statements of the second defendant and the additional written statement filed by the second defendant in brief:

3.1. The relationship between the parties is admitted. One of the daughters of Sundara Gounder, namely Manoranjitham, died as a spinster. After the death of the grand father of the second defendant, the second defendant and his two sons Rama Gounder and Sundara Gounder divided joint family properties, excepting few items which are still in common enjoyment. The lands in joint possession and enjoyment of the joint family is about 6.3 Acres of punja lands in Karapatti Village and these properties are not partitioned yet, as claimed by the plaintiff. Hence, the suit is liable to be dismissed for non-joinder of necessary parties as well as for partial partition.

3.2. The claim of the plaintiff is that 'A' schedule properties were acquired by Sundara Gounder under partition is incorrect. From 1985 to 1988, during which period the partition took place, the second defendant was running an agro service business and he stopped the business after the partition in 1988. The income derived from the said agro service business is, in fact, joint family income. The 'B' Schedule items 1, 3 to 5, 7 to 14, 16, 18, 19, 22 to 24, 27 to 30, and 32 to 35 are joint family properties. However, Item Nos.1 to 8 and 10 to 12 in C schedule properties are not joint family properties and there are the absolute properties of the persons in whose name the sale deeds stand registered. The contention of the plaintiff that all these properties were purchased from and out of the income that accured from the joint family is false and imaginary. The sons, daughter-in-law and son-in-law of the second defendant are professionals, who have sufficient source of income, to have purchased the properties standing in their names. In fact, they have also put up new constructions, after demolishing the old buildings. The father of the second defendant was engaged in agricultural operations, besides running a ration shop and other businesses. Since 1970, it is only the second defendant, who has been managing the family, since the father was sick and he was also been taken care of by the second defendant. The second defendant carried on cotton business and he was also awarded a Government contract and from and out of the income from these sources, he purchased the properties in his father's name, 8th defendant's name, 1st defendant's name and also 2nd defendant's name. The second defendant was cultivating the family property and there was very meagre income from the lands. Considering that the second defendant was doing the cotton business and also building contract business, the income derived from his own source were merged with the joint family for the welfare of the family. When the plaintiff admitted to Islamiam College, Vaniyampadi, the father died on 10.03.1978 and it was only the second defendant, who educated the plaintiff and got him married to a Doctor and also arraged for a separate residence for them. The monthly rent was also paid by the second defendant.

3.3. The second defendant also conducted the marrige of the fourth defendant in a luxurious manner. He has availed a loan from State Bank of India. which he could not repay. The State Bank of India filed a suit for recovery of money against the second defendant before the Sub Court, Krishnagiri and a decree was also passed. The plaintiff, after marriage, demanded for partition and the second defendant informed the plaintiff that after discharging of all loans availed for the benefit of the family, a partition could be effected. However, the plaintiff did not agree to the same. In such circumstance, all agricultural family properties were left to the plaintiff. Even during the mother's life time, in March 1988, the house property as well as the lands have been partitioned already in the presence of Nehru, S/o.Ramana Gounder, paternal uncle of the plaintiff and the second defendant. The plaintiff was given one half share as per his request and he has taken possession of the same and remaining half share was allotted to the second defendant and the duty to maintain the first defendant/mother was undertaken by the second defendant and duty to maintain the third defendant, who was deserted by her husband, was undertaken by the plaintiff. The said oral partition has been given effect to.

3.4. During the life time of the father, lands of an extent of 4.30 Acres were given to the fourth defendant. In fact, during his life time, father entered into a sale agreement for survey No.10/3C1 and also paid the entire sale consideration for the proposed purchase. The said sale agreement property was also allotted to the fourth defendant and after demise of the father, sale deed was registered in the name of the fourth defendant. Right from partition in the year 1988, the plaintiff and the second defendant have taken possession and have been in separate and exclusive enjoyment of their respective portions.

3.5. Insofar as the claim of the plaintiff regarding cultivation in the suit properties, the second defendant states that only 5 to 10 Acres were under cultivation. That apart, 1000 coconut trees 500 Mango trees were planted by the father and 120 trees alone were giving yield. Post partition as well, both the plaintiff and the second defendant have planted Mango trees in their separate lands. The plaintiff was allotted 31.8 Acres in the oral partition and the second defendant was allotted 31.51 Acres, with well and motor connections for exclusive use and enjoyment of the respective parties. The plaintiff and the second defendant also planted Mango and Sappotta trees. The house site at Railway station road, Tiruppathur Town was purchased by the second defendant's father and in the year 1988 partition, half of the said properties were allotted to the plaintiff and remaining half of the share was allotted to the second defendant. The plaintiff sold his share to

Ponnusamy and the second defendant sold his half share to one Vasanthakumar Prasad and in the sale deed executed by the plaintiff himself, there is a recital that only out of family partition, the plaintiff got the property, which has been sold under the said sale deed. The plaintiff has suppressed the said factum in the present suit.

3.6. The seventh defendant, out of his own income purchased the properties in the name of the seventh defendant and the plaintiff. In a partition between the seventh defendant and the plaintiff, half share was allotted to the seventh defendant and he settled it in favour of the eighth defendant. The remaining half share was allotted to the plaintiff. These facts are also suppressed by the plaintiff in the plaint. The allegation of the plaintiff that C schedule property was purchased out of family income is denied. The plaintiff is not entitled to any partition in respect of Schedule C and Schedule D properties. The allegation of the plaintiff that there was huge income that accrued from Schedules C and D properties, is also denied. The marriage of the plaintiff was performed on 11.09.1990 in a grand manner. The claim of the plaintiff that 110 sovereigns of gold and cash of Rs.75,000/- were given to the bridegroom and that marriage expenses to the tune of Rs.6,00,000/- were spent of joint family funds is also denied. It is only the jewels belonging to the seventh defendant, may be about 60 sovereigns that were given to the eighth defendant at the time of marriage. The marriage expenses were met only by the 11th defendant's family. The marriages of the defendants 5 and 6, sons of the second defendant, were performed in 1998. However, marriages were performed after partition in the family and the second defendant, from and out of his own income, spent for the said marriages. The family properties have already been partitioned, prior to filing of the suit and only in order to make unlawful gain, the suit has been filed. The third defendant has no right to the suit properties and the plaintiff has also not paid adequate Court fee.

3.7. In the additional written statement, the second defendnat contended that the defendants 5 to 11, who have been impleaded subsequent to the death of the defendants 1 and 3, are not joint family members and they are not necessary parties to the suit. Item Nos.10, 11 of C schedule properties are self acquired properties of the fifth defendant and had already been sold to the 12th defendant. The 12th defendant is a *bonafide* purchaser and he is also not a necessary party. Item No.1 of C schedule property was purchased by the seventh defendant, Item No.3 of C schedule property was purchased by the tenth defendant, Item No.12 of C schedule property was purchased by the 8th defendant and Item Nos.2,4,5,7 to 9 of C schedule properties were purchased by the sixth defendant, from and out of their respective income from legal and medical profession and none of C schedule properties are joint family properties. The defendants 5 to 11 are in fact not necessary parties.

3.8. The plaintiff has sold the property measuring 1400 sq.ft. by way of sale deed dated 02.07.1990 to one Mr.Ponnusamy. The said property was original purchased by the father of the defendants 2 and 4 under sale deed dated 23.09.1975. Even in the said sale deed, the plaintiff has mentioned that after the demise of the father Sundara Gounder all the legal heirs have equally shared in the properties. The said Ponnusamy was impleaded as 13th defendant and in the said sale deed, the plaintiff has admitted to a partition in the family. The suit is also liable to be dismissed for non joinder of necessary parties. The

Items set out in D schedule properties (movables) are not available and the plaintiff has also failed to furnish correct particulars regarding the same. The plaintiff has omitted to include some of the properties in Schedules A and B and the suit is liable to be dismissed, even on the ground of partial partition.

4. Written statement and additional written statement of the fourth defendant, in brief:

4.1. The fourth defendant filed written statement on 11.10.2004, which is adopted by the defendants 1 and 3.

4.2. These defendants admitted the case of the plaintiff and prayed that 1/15 share may be allotted. These defendants have also paid separate Court fee for their respective 1/15 share to be allotted to them.

4.3. By way of additional written statement filed by the fourth defendant, after the demise of the defendants 1 and 3, the fourth defendant has stated that after the Hindu Succession Amendment Act, 2005, a daughter also being a co-parcener, like a son, the fourth defendant is entitled to equal share in the suit properties, along with the plaintiff and the second defendant.

5. Written Statement of the fifth defendant, which is adopted by the 9th defendant, in brief:

These defendants submitted to a preliminary decree being passed.

6. Written statement of the 8th defendant adopted by the defendants 2,5,6,7,9 to11, in brief:

6.1. The plaintiff and the second defendant have already partitioned the family properties in A schedule and B schedule. First item of C schedule property has been settled by way of gift deed to the eighth defendant and the gift deed has been acted upon and the eighth defendant has enjoyed the property as her own. The 6th item of C schedule property was purchased in favour of the eighth defendant from and out of her own income, by a registered sale deed dated 21.10.1982. This property is not a family property available for partition. Item No.12 of C schedule property was also purchased by the 8th defendant out of her own income by registered sale deed dated 07.05.1997. Her husband/11th defendant contributed financially for purchase of the said property. The second defendant did not pay any amount for purchasing the said property and hence, this property is not a family property. The 8th defendant also purchased another property from M.K.Unni on21.10.1985, without any assistance of the second defendant. The 8th defendant is not aware of the existence of D schedule immovable properties. In any event, D schedule property is not a joint family properties and the 8th defendant is not in possession of any of the movable properties which have been set out in schedule D property. Valuation of the suit and payment of Court fee are also incorrect and the suit is liable to be dismissed.

7. The 6th defendant, who had initially adopted the written statement of the 8th defendant, has filed an additional written statement, which had been adopted by the defendants 7 to 11, after demise of the 2nd defendant, in brief:

7.1. C schedule properties were self acquired properties of defendants 6,8 and 10. Schedules A and B properties have already been partitioned and separate pattas have been granted to the plaintiff and the defendants 2 and 4 and the suit for partition is therefore not maintainable.

8. Written Statement of the 13th defendant:

The 13th defendant contended that the plaintiff sold the property in T.S.No.363, in plot No.22 in Tiruppathur Town, which stood in the name of Sundara Gounder to the 13th defendant for a valid sale consideration by sale deed dated 02.07.1990. The plaintiff claimed absolute right to the said property, contending that they have also been partitioned between the plaintiff and the second defendant and the said property in plot No.22, of an extent of 1400 sq.ft. out of 2800 sq.ft. was allotted to the plaintiff. The 13th defendant therefore contended that the said item of property cannot be included in the suit for partition and prayed for dismissal of the suit.

9. The Contradictory stand taken by the 4th defendant:

The 4th defendant took out an application to reject the vakalat, written statement, submitting to a decree. However, the said application was rejected by the trial Court by order dated 10.02.2023. By way of additional written statement, the fourth defendant has taken a U turn, contending that she never gave vakalat or filed any written statement and had not even to submitted to a decree. Similarly, the defendants 5 to 9 also took out an application to reject the vakalat and the written statement. The said application was also dismissed vide order dated 10.02.2023. The earlier written statement was disowned by the defendants 5 to 9, with similar allegations that they have not signed the vakalat on the written statement.

10. Issues:

10.1. The trial Court based upon the pleadings by way of plaint, amended plaint, written statements and additional written statements, framed the following issues, on 19.01.2001:-

(1). Whether the "A" Schedule property is the ancestral property and out of the income derived from the "A" Schedule, whether the "B" Schedule properties have been purchased in the name of family members?

(2). Is it true that the "C" Schedule properties have been purchased from the income derived from "A" and "B" Schedules in the name of defendants 5, 6, 8 to 10?

(3). Is it true that the Item 1 in the "C" Schedule property has been purchased out of the separate income of 7th defendant as joint owner of plaintiff and the 7th defendant? Whether that property has been partitioned or not?

(4). Is is true that Item 6 and 12 in "C" Schedule property has been purchased in the name of the 8th defendant out of her own income?

(5). Is it true that the "D" Schedule movable properties are not joint family properties?

(6). It is correct that the valuation of the suit property is not correct?

(7). Whether the plaintiff is entitled to relief as prayed for?

10.2. The additional issue was framed on 20.01.2003, which reads as follows:

(1). Whether the "C" Schedule property is separate property of defendants 6 and 10?

10.3. Further, additional issues were framed on 19.11.2004, 16.12.2021, 22.12.2021, 30.09.2022 and again on 02.01.2023 respectively, and the same was extracted hereunder:

(1) Whether the defendants 1.3.4 and 5 are entitled share in the suit properties?

10.4. The following additional issues were framed by the trial Court on 16.12.2021 are as follows:-

(1) Whether the 4th defendant is entitled to 1/3 share in the suit properties?

(2) Whether the contention of the defendants that oral partition was already effected in the year 1987 between the plaintiff, defendants 2 and 4 and acted upon in respect of the A and B Schedule properties is proved?

(3) Whether the C Schedule properties are not joint family property as contended by the defendants?

(4) Whether the suit is bad for mis-joinder of unnecessary parties?

(5) Whether the suit is bad for non-joinder of proper properties and bad for partial partition?

(6) Whether the 12th defendant is the bonafide purchaser of the Items 10 and 11 of C Schedule properties?

10.5. The additional issue framed by the trial Court on 22.12.2021 is as follows :-

(1). Whether gift or settlement deed dated 30.05.2005 is void executed by the 7th defendant in favour of the 8th defendant during the pendency of the suit in respect of Item No.1 of "C" Schedule of the suit property is hit by doctrine of lis-pendence.

10.6. The additional issues framed by this Court on 30.09.2022 are as follows :-

(1) Whether the contention of the 6th defendant that the 5 to 8 defendants are legal heirs by birth and not the legal heirs of successors in respect of "C" Schedule property is correct?

(2). Whether the contention of the 6th defendant that the defendants 6, 8 and 10 are alone the legal heirs in respect of the "C"Schedule property is correct?

10.7. The Additional issues framed by the trial Court on 02.01.2023, is as follows:

(1) Whether the Sale deed executed by the plaintiff dated 02.07.1990 in favour of the 13th defendant is true, valid and binding upon the parties?

(2). Whether the 13th defendant is a bonafide purchaser of the property purchased by him vide registered sale deed dated 02.07.1990 from the plaintiff?

(3). Whether the suit is barred by the limitation in respect of the property purchased by the 13th defendant from the plaintiff?

11.Trial:

At trial, the plaintiff examined himself as P.W.1 and exhibited Ex.A1 to Ex.A41, the 13th defendant, viz., Ponnusamy was examined as C.W.1 and Ex.A42 was marked. A staff of Tiruppathur Co-operative Society, junior assistant was examined as P.W.2, through whom Ex.A43 to Ex.A45 were marked. On the side of the defendants, the second defendant examined himself as D.W.1 and sixth defendant examined himself as D.W.2. The 8th defendant examined herself as D.W.3 and the

4th defendant examined herself as D.W.4. No documents have been exhibited on the side of the defendants. Through C.W.1, Ex.C1 and Ex.C2 were marked, apart from Ex.A42, as already set out herein above. In fact, after being examined as C.W1 alone he was impleaded as 13th defendant in the suit.

12.Decision of the trial Court:

Considering the oral and documentary evidence on record, the trial Court found that the plaintiff was not entitled to any relief and dismissed the suit in *toto*.

13. Aggrieved by the dismissal of the suit, the plaintiff is before this Court by way of the present First Appeal.

14. Present Appeal:

I have heard Mr.T.V.Ramanujun, learned Senior Counsel for M/s.B.Arvind Srevatsa, learned counsel for the appellant, Mr.V.Raghavachari, learned Senior Counsel for the respondents 2 to 8 and 10 and Mr.Manojkumar, learned counsel for the 11th respondent.

15. Before adverting to the arguments of the learned Senior Counsel on both sides, it would be relevant to record the submissions of Mr.Manojkumar, learned counsel for the 11th respondent that the 11th respondent is a legal representative of the fourth respondent and he would fairly state that in view of the conflicting versions by way of written statement and additional written statement, the mother of the 11th respondent had initially consented for a preliminary decree passed, but, however, seeking to file an additional written statement, had disowned the oral written statement. He would therefore state that the 11th respondent is not in a position to take any sides in the present first appeal and would leave it to the decision of this Court.

16.Arguments of learned Senior Counsel for the appellant/plaintiff:

16.1. Mr.T.V.Ramanujun, learned Senior Counsel, appearing for the appellant / plaintiff would state that admittedly A schedule properties were the ancestral properties at the hands of the plaintiff and the second defendant and there is no quarrel with regard to the same. He would further contend that even in respect of Schedule B properties, the same were purchased only from and out of the income accruing from Schedule A property, which is also admitted by the contesting second defendant. In this regard, he would invite my attention to the findings of the trial Court that both schedule A and B properties are the ancestral properties. However, Mr.T.V.Ramanujun, would state that the claim of an oral partition of the said A and B items of properties had not been proved by the second defendant and on the contrary, the plaintiff established that from and out of income accruing from A and B schedule property, which remained undivided. Schedule C and Schedule D properties were purchased and there is no contra evidence on the side of the second defendant to contend or establish otherwise. He would further state that admittedly both the plaintiff and the second defendant had no independent income and crops (sugarcane) were being raised in the agricultural lands and it was the only income that sustained the family.

16.2. In sofar as the claim of non joinder and partial partition, Mr.T.V.Ramanujun, learned Senior Counsel, would state that the plaintiff was claiming share only in respect of the properties of the father Sundara Gounder and not in respect of the joint family properties, which were undivided and available for partition at the hands of Sundara Gounder and his brother and he would therefore state that there can be no impediment for the plaintiff to file a suit for partition and the suit was maintainable as laid and the same cannot be rejected, either in the ground of non joinder of proper and necessary parties or on the ground of partial partition.

16.3. The learned Senior Counsel, Mr.T.V.Ramanujun, would further state that the trial Court had given a finding that both Schedule A and B properties were ancestral properties, has erroneously, proceeded to hold that Schedule C properties were not purchased from and out of the joint family surplus funds. In this regard, the learned Senior Counsel, took me through the evidence adduced by the parties, oral and documentary and would contend that the plaintiff had discharged the initial burden upon him that, C schedule properties were purchased from and out of the income accruing from A and B schedule properties. He would further state that the burden shifted to the second defendant to rebut the said presumption, which according to the learned Senior

Counsel, the second defendant has miserably failed. He would also take me through the deposition of the plaintiff and the second defendant to contend that there was sufficient evidence brought on record by the plaintiff to show that the family had income and even the income that was generated from the contract business, was only put into the joint family fund.

16.4. Mr.T.V.Ramanujun, learned Senior Counsel, would also state that Section 6 of the Hindu Succession Act, after the amendment in 2005, does not recognize an oral partition and in such circumstances, the trial Court has miserably failed to grant a decree for partition as prayed for by the plaintiff. The learned Senior Counsel would also refer to the deposition of the defendants' side witness, viz., second defendant, where there is an admission that accounts were maintained, however, no books were produced to establish the same and he would state that the trial Court ought to have drawn an adverse inference, which admittedly has not been done. He would also attack the findings of the trial Court that the suit was barred under Order 2 Rule 2 CPC as the larger co-parcenary involving Rama Gounder's estate was a different cause of action altogether and within the family of Sundara Gounder, the cause of action is entirely different and the plaintiff was entitled to seek for partition in respect of the properties of Sundara Gounder.

16.5. As regards the sale deed in favour of the 13th defendant, Mr.T.V.Ramanujun, learned Senior Counsel would firstly contend that Ex.C1 is not subject matter of the suit and secondly, the appellant denies the sale in favour of the 13th defendant. Ex.C2 also refers to signature of the appellant/plaintiff, whereas only left thumb impression was available in the sale deed. He would therefore contend that the 13th defendant has been in active collusion with the 2nd defendant, which is evident from the fact that 13th defendant has virtually adopted the written statement of the 2nd defendant.

16.6. Even with regard to the purchase of properties in the names of the individual members of the family, there has been no proof adduced to show that the said family members had independent income, sufficient to acquire the properties in their respective names. In such circumstances, it is the submission of Mr.T.V.Ramanujun, learned Senior Counsel, that the subsequent settlement deed in favour of the 8th defendant is also not valid and binding on the plaintiff. Though it is contended that some of the defendants are lawyers and Doctors by profession, no evidence is adduced in this regard, especially, even to show that there was independent income available to this defendants to acquire the properties in their respective names. He would further state that this Court ought to have drawn an adverse inference for the non-production of income tax returns by the professionals, who claimed to have utilized their self-acquired funds to purchase the various items listed in Schedule C in their individual names.

16.7. The learned Senior Counsel would further state that the second defendant has miserably failed in proving the alleged oral partition and that though, it is claimed that oral partition took place in the presence of parties, the said persons have also not been examined.

16.8. In support of his submission, the learned Senior Counsel has also relied on the following decisions:

1. ***Appasaheb Peerappa Chamdgade v. Devendra Peerappa Chamdgade & Others*** reported in ***2007-1-SCC-521***

2. Adiveppa & others v. Bhimappa & Another reported in ***2017-9-SC-586***

3. Surendra Kumar v. Phoolchand & Another reported in ***1996-2-SCC-491***

4. Prahlad Pradhan & Others v. Sonu Kumhar & Others reported in 2019-10-SCC-259

5. Vineeta Sharma v. Rakesh Sharma & Others reported in ***2020-9-SCC-1***

6 T.Rajabhuvaneswari v. S.Mythili in A.S.No.59 of 2023 dated 26.09.2025

7. Ramasamy v. Varuthappan & Another in S.A.No.564 of 2018 dated 18.02.2024

8. Dorairaj V. Doraisamy (Dead) through Lrs and Others reported in ***2026-INSC-126.***

<u>17.Arguments of learned Senior Counsel for respondents 1, 2 to 8 &10:</u>

15.1. Per contra, Mr.V.Raghavachari, learned Senior Counsel, would at the outset state that the plaintiff is a Lawyer himself and he is not an ordinary or illiterate person, but, one who was well aware of the implications of dealing with immovable properties, with specific reference to the evidence of C.W.1, Mr.V.Raghavachari, learned Senior Counsel would state that the plaintiff has admitted the factum of oral partition between the plaintiff and the second defendant in the deed under which property was sold to C.W1, stating that it was allotted to the plaintiff at such oral partition and it is therefore the premodial submission of the learned Senior Counsel that the plaintiff having admitted that there was an oral partition of schedule A and B properties, the plaintiff cannot seek for a decree for partition, by filing the present suit.

15.2. The learned Senior Counsel would further state that the plaintiff left the joint family, after his marriage and it is not the case of the plaintiff himself that there has been a common mess. He would also take me through the various admissions of P.W.1 in cross examination regarding the division of A schedule and B schedule properties and contended that the trial Court rightly appreciated the oral and documentary evidence in coming to a conclusion that the plaintiff is not entitled to seek for partition much less the other consequential relief.

15.3. The learned Senior Counsel, Mr.V.Raghavachari, would further state that if the burden was only on the plaintiff's shoulders to establish that the properties standing in the individual names of family members were also joint family properties and it was not necessary for the defendants to establish that they had independent income to acquire the properties in their names. The learned Senior Counsel would also state that the plaintiff has not proved that even assuming there was a joint family, the said joint family had sufficient surplus funds to meet the costs of acquisition of the other properties.

15.4. The learned Senior Counsel would further state that though various documents were exhibited as Ex.A20, A21, A22, A23, A24, A25, A26 and Ex.A31 purchased by the sixth defendant, they all pertained to only one item of property and similarly, Ex.A27 and Ex.A28 pertained to one item purchased by the fifth defendant.

Similarly, Ex.A29 and Ex.A30 also related only one item of property and it is not as if several items have been purchased from and out of the alleged surplus income available at the hands of the joint family. The learned Senior Counsel therefore states that there is no merit in the appeal.

16. Discussion:

On a careful consideration of the arguments advanced by the learned Senior Counsel on either side and Mr.Manojkumar, learned counsel appearing for the 11th respondent, I proceed to frame the following points for consideration be decided in the present Appeal :

> *(I) Whether the plea of oral partition framed by the second defendant had been proved in order to disentitle the plaintiff to relief?*
>
> *(II) Whether C schedule properties were purchased from and out of available surplus joint family funds occurring from Schedule A and B properties or Whether they were purchased separate income of the defendants 5 to 10?*

17. We are presently concerned with the estate of T.R.Sundara

Gounder. T.R.Sundara Gounder was married to Parvathi, who was in fact impleaded as the first defendant in the suit. However, she died pending the suit, on 23.12.2010. Sundara Gounder was blessed with two sons and two daughters. The second defendant is the elder son followed by two daughters, Dhanalakshmi and Prema, viz, defendants 3 and 4 and the plaintiff, the second son. The second defendant was married to Soundaravalli, who is the seventh defendant and they were blessed with two sons and daughter, who are the defendants 5, 6 and 8 respectively. The wife of the second defendant-Parameshwari is the 9^{th} defendant, wife of Kajendran is the 10^{th} defendant and husband of 8^{th} defendant, Selvam is the 11th defendant.

18. Pending the appeal consequent to the demise of the 4^{th} defendant, her legal heirs, viz., respondents 10 and 11, have been brought on record in the present appeal.

19. It is not in dispute that there are certain items of properties that are available for partition between Sundara Gounder and his brother

Rama Gounder. Admittedly, these properties are not subject matter of the suit for partition at the instance of the plaintiff. It is the contention of Mr.T.V.Ramanujun, learned Senior Counsel that larger co-parcener property belonging to Sundara Gounder and Rama Gounder gives rise to a totally different and independent cause of action and when the plaintiff had sought for partition only in respect of the divided properties of Sundara Gounder, admittedly, the cause of action for the present partition suit is entirely different and the plea of partial partition and non joinder of proper and necessary parties cannot come in the way of the plaintiff, seeking his easement share in schedules A to D properties.

20. I am in agreement with the arguments of the learned Senior Counsel Mr.T.V.Ramanujun, that the present cause of action available for the plaintiff to seek partition in the estate of his father T.R. Sundara Gounder is independent of cause of action that may be available to the co-parceners, concerning an undivided and joint properties between Sundara Gounder and his brother Rama Gounder.

21. In such circumstances, I do not see how the suit could be bad for partial partition, for non inclusion of the common properties of the larger ancestral nucleus and for non joinder of the co-parceners to the said larger ancestral nucleus. The trial Court, based on pleadings, oral and documentary evidence, has come to the conclusion that Schedule A and B properties were ancestral properties at the hands of the plaintiff and the second defendant. The case of the plaintiff is that the properties in items in Schedules A and B were under cultivation and it generated sufficient corpus for acquisition of properties in Schedule C property and that only for sake of convenience, some of the items in C schedule properties were purchased in the independent names of the family members. However, it is the case of the contesting second defendant and his legal representatives that the properties that are purchased in the individual names of the family members are not from and out of joint family nucleus or alleged available surplus income, but, however, only from and out of their independent income.

22. In fact, the short question that would have to be adjudicated in the present appeal suit is whether there was a partition of Schedule A

and B properties, as contended by the second defendant. If such partition had taken place then the question of schedule C properties having been purchased from and out of the joint family members does not arise for consideration. In fact, it is also an incidental question that begs an answer as to whether the various items in C schedule properties were purchased only from the surplus income that had occurred from Schedule A and B properties and not from the separate income of the respective defendants in whose names, the said properties were purchased. It is in this regard, that both the learned Senior Counsel have taken me through the evidence of P.W.1 as well as D.W.1. Mr.T.V.Ramanujun, learned Senior Counsel would contend that the trial Court has erroneously interpreted suggestions put by the plaintiff's counsel to D.W.1 with regard to the alleged oral partition as being an admission on the side of the plaintiff to the oral partition itself.

23. Referring to the specific question in cross examination, the learned Senior Counsel, Mr.T.V.Ramanujun, would contend that the suggestion was put only in order to establish falsity in the case of the second defendant that there was an oral partition and it can never

amount to an admission of oral partition as interpreted by the trial Court.

24. Per contra, Mr.V.Raghavachari, learned Senior Counsel, would argue that when the plaintiff put a suggestion that there has been an oral partition in respect of schedule A and B properties, then the date of the oral partition whether it was 1987 or 1988 would pale into insignificance and the trial Court had rightly factored the stand of the plaintiff during trial of the suit. The other argument, which is put against the plaintiff is that the plaintiff sold the property measuring 1400 sq.ft in favour of the 13th defendant and in the said sale deed, there is a mention of a partition between the plaintiff and the second defendant and it is therefore contended by Mr.V.Raghavachari, learned Senior Counsel that the conduct of the plaintiff, who infact is a lawyer by profession would clearly and sufficiently demonstrated that Schedule A and B properties were already partitioned and it was not open to the plaintiff to seek for a partition of the very same properties that they had already been taken separately by the plaintiff and the second defendant.

25. Meeting the said argument put against the plaintiff, Mr.T.V.Ramanujun, would contend that the property, that is sold to the 13th defendant does not form and part of the suit properties in the first place and secondly, in view of the stand taken by the 13th defendant, literally adopting the stand of the second defendant, it only exposes the collusion between the second defendant and the 13th defendant and no credence can be given to the evidence adduced by the 13th defendant.

26. Let me first deal with the evidence of the 13th defendant, who was examined as C.W.1, even before, he is being impleaded the sale deed executed by the plaintiff in his favour has been marked as Ex.C1. Thumb impression register from the Sub Registrar office, Tiruppathur, vide document No.1840 of 1990, has also been marked. It had become necessary since the plaintiff while become examined as P.W.1 had denied the sale of property to the 13th defendant. The trial Court had also noted that in Ex.C2 register, thumb impression of the plaintiff is not available, though it contained the signature of the plaintiff, however, the Sub Registrar had made a note that the plaintiff had refused to adduce his thumb impression. The plaintiff has denied the execution of sale deed - Ex.C1 in favour of the 13th defendant. The sale deed is a

registered document, and it raises a legal presumption that all formalities required for registration have been duly complied with in accordance with the law. In such circumstances, the plaintiff ought to have taken steps to compare the plaintiff's admitted signatures with the signatures available in Ex.C2. The same has not been done and the plaintiff has also not taken steps to compare his signature under Ex.C1 sale deed, with his admitted signatures. Though C.W.1 has been alleged to have colluded with the 2nd defendant, C.W.1's cross examined by the plaintiff's counsel, nothing has been brought out, to doubt the execution of sale deed in Ex.C1. In fact, it is seen that the 13th defendant had even availed of a loan from a Housing Society for purchase of the property covered under Ex.C1.

27. Before adverting to the evidence of P.W.1 and C.W.1, in this regard, it would be relevant to refer to the recitals in Ex.C1 sale deed. The preamble to the said sale deed, Ex.C1, it is mentioned as follows:

> “டி.ஆர்.எஸ்.சுந்தர கவுண்டர் குமாரர் டி.ஆர்.எஸ்.ஜெயபிரகாஷ் ஆகிய நான் என் மன சம்மதியில் எடுதிக் கொடுத்த சுத்த விற்கிறய பத்திரம் என்னவென்றால், கீழ் விவரம் கண்ட சொத்து என்னுடைய தகப்பனாருக்கு (23.07.1975) தேதியில் 1957/75 கிரய பத்திரப்படி பாத்யப்பட்டு அவர்

காலமானபின், எனக்கு பாத்யபட்டு, என்னுடைய சொந்த சுவாதீனம் அனுபவத்தில் இருந்து வரும் கீழ்கண்ட காலி இடத்தை என்னிட குடும்ப செலவிற்காகவும், வீடு கட்டுவதற்காகவும் வேண்டி தங்களுக்கு ரூபாய் 15,000/- பதினைந்தாயிரத்துக்கு கிரயம் செய்து ஷ துகை பூராவும் இன்று உம்மால் நான் கீழ்கண்ட சாட்சிகள் முன்பாக ரொக்கமாய் பெற்றுக்கொண்டு கீழ்கண்ட காலி இடத்தையும் இன்றே தங்களிட வசம் சுவாதீனம் செய்துவிட்டேன்.“

28. Thus, it is seen from Ex.C1 recitals that the plaintiff has sold the property belonging to his father Sundara Gounder, after stating that the properties were purchased by the father in 1975, the plaintiff claims that after father's demise, the said property has fallen to the share of the plaintiff and that he has been in separate possession and enjoyment of the same. Thus, the averments in Ex.C1 clearly point to the fact that in the absence of any amounting instrument or any gift deed executed by the father in favour of the plaintiff, vesting of title in respect of Ex.C1 property absolutely, unless and otherwise there was a partition between the plaintiff and the second defendant as contended by the second defendant consistently, to the plaintiff could not have claimed independent or separate or absolute right to the subject property in Ex.C1. This certainly probablises the case of the defendant that the

properties belonging to Sundara Gounder and as set out in Scheulde A and schedule B properties were partitioned orally between the plaintiff and the second defendant.

29. In fact, in the cross examination of C.W.1 on 14.09.2003, he has stated that the plaintiff and he stayed together in one room when they were studying in college at Vaniyampadi. He has affirmed the factum of purchase under Ex.C1. He has also deposed that for the purchase of the property, he has availed a loan of Rs.1,00,000/- and the same has also been cleared. When confronted with the inconsistencies in his chief examination and cross examination by the defendants' side, he has also stated that the evidence adduced during cross examination is the correct version. He has also denied the suggestion that he is colluding with the second defendant. After the examination of the Court witness, the 13th defendant, atleast the plaintiff ought to have taken diligent steps to establish her case that Ex.C1 was not signed by her and she did not effect any sale in favour of the 13th defendant. In the absence of such steps taken by the plaintiff, taking into account the registered sale deed and the evidence C.W.1, the Court can safely

presume the fact that the plaintiff has conveyed the property under Ex.C1 to the 13th defendant under a registered sale deed. Here, it is relevant to point out that the plaintiff is not lay man. He is a lawyer by profession and therefore, the plaintiff would have certainly gone all out to establish his version that there was no sale under Ex.C1 and that the sale deed is forged or fabricated document.

30. On an overall appreciation and assessment of the oral and documentary evidence it only emerges that in order to get over the averments in Ex.C1 regarding the property of the father vesting in the plaintiff absolutely alone, the plaintiff has chosen to take a path where he denying even went to the extent of the execution of Ex.C1 sale deed itself, so that he can putforth a case that he is not bound by the averments in the said sale deed, which otherwise point to a partition between the plaintiff and the second defendant.

31. Yet another relevant circumstance, as rightly point out by the learned Senior Counsel is that if really the plaintiff had not sold the said property to the 13th defendant, then there is absolutely no reason as to

why it should have been excluded from the suit properties, in respect of which, the plaintiff claims partition. Therefore, the denial of execution of Ex.C1, in my considered opinion is only an afterthought to negate the defence plea that parties have already orally partitioned the suit properties. This is more so, in the light of the specific plea taken by the second defendant in the written statement that partition had already been effected between the plaintiff and the second defendant and the parties are in separate possession and enjoyment of their respective allotments.

32. While on the same discussion with regard to whether there has been a partition between the plaintiff and the second defendant it would also be relevant to discuss the finding of the trial Court, in this regard, taking note of suggestion put by the plaintiff's counsel to D.W.1.

33. A suggestion has been put to D.W.1 as to whether in 1987 whether the properties were orally partitioned and D.W.1 answered in the affirmative. It is the submission of the TV.Ramanujam, learned Senior Counsel that the question was put as a suggestion / leading question only in order to falsify the defence theory that oral partition

had taken place in 1988 and the trial Court ought to have seen that the by answering affirmative suggestion, the defendant had given up his own case that a partition had taken place in the year 1987. He would therefore state that the suggestion has been misconstrued by the trial Court and put against the plaintiff himself, to non suit the plaint. Though I find force in the said submissions of Mr.T.V.Ramanujun, learned Senior Counsel, in fact, a suggestion to an adversary witness is normally a leading question in and by which the case of the party, cross examining the witness is put to the witness. By putting a suggestion that there has been a partition in 1987, it cannot be said that the case of the plaintiff is that there has been a partition in 1987. The specific ground on which the plaintiff has come to Court is that there is no partition on A and B schedule property. The trial Court ought not to have made much of such a suggestion put by the plaintiff's counsel to D.W.1. However, I do not see this, in isolation, to in any manner impact the final decision of the trial Court non suiting the plaintiff to any of the reliefs sought for in the plaint. Even otherwise, the second defendant has been able to successfully establish that there has been a partition of schedule A and B properties.

34. The plaintiff has come to Court with a definite case that schedule C items were purchased in the individual names of family members, defendants 5 to 10, from and out of income accruing from joint family properties. The burden was very heavily on the plaintiff's shoulders to establish that these properties were also joint family properties having been purchased from and out of the surplus income available at the hands of the joint family, having accrued from schedule A and B of the suit property. I do not find any evidence much less acceptable or satisfactory evidence, on the side of the plaintiff to establish that the properties in schedule C were purchased in the name of defendants 5 to 10, using surplus funds available with the joint family, such funds having accrued from the income generated from Schedule A and B. The plaintiff cannot attempt to shift the burden on the defendants 5 to 10 to establish that they had purchased these properties out of their self earned income. The plaintiff having come to Court with a case that these properties were joint family properties was burdened with proof of the same. Only if the plaintiff is able to prima facie establish that not only was there surplus income accruing from schedule A and B properties and that such surplus was sufficient to meet

the purchase of the various items in the names of the defendants 5 to 10, an initial presumption can be drawn that the purchasers made in respect of schedule C items were from and out of joint family and it was for the defendants, thereafter to rebut the said presumption, by leading an evidence that the said properties were purchased from and out of their own sources / independent income. In the facts of the present case, testing the oral and documentary evidence adduced by the plaintiff, I do not see how the plaintiff has been able to discharge the initial burden upon him, even to shift the burden on the second defendant or defendants 5 to 10 to thereafter establish that the properties standing in the names of defendants 5 to 10 were not purchased out of income from joint family nucleus.

35. Therefore, I do not see how the plaintiff can claim that schedule C properties are also joint family properties and available for partition. Even as regards the dates of acquisition of the various properties, which form and part of schedule C, I find that the purchasers have been made long after the death of the father Sundara Gounder The purchases had been made begining in 1978 and upto as late as in 1997,

which is close to 20 years, after the demise of Sundara Gounder himself.

36. The defendants 6 and 8, who have been examined as D.W.2 and D.W.3, have also incidently spoken about their qualifications and purchase of the properties in their names from and out of their own income and not out of any surplus funds available at the hands of the joint family. A cumulative assessment of the respective cases of the plaintiff and the defendants and taking into account Ex.C1 sale deed, in resepct of specific half share in one of the items belonging to the father Sundara Gounder and similarly on the side of the defendants, the 7th defendant executing a settlement deed Ex.A30 with regard to her half share in C schedule item I in favour of the 8th defendant, all point to the fact that there has been an oral partition in the family especially between the plaintiff and the second defendant and the fourth defendant and it had also been acted upon. The 4th defendant was also allotted 5.02 Acres in the oral partition and 4th defendant has taken a contrary stand, initially supporting the case of the plaintiff by giving consent for passing the decree, but however attempted to go back on the earlier stand taken by her.

37. Coming to the decisions relied on by the learned Senior Counsel, Mr.T.V.Ramanujun, the Hon'ble Supreme Court in ***Appasaheb Perrappa Chamdgade***'s case, only held that there can be no presumption of a joint Hindu Family and initially burden is on the plaintiff and insofar as the entire property was joint family property and only after the initial discharge of such burden, it would shift on the defendants to show that the property claimed by them was not purchased from and out of joint family nucleus, but was purchased independent of such funds, by way of loan or utilizing self earned income / money. There is no dispute with regard to the said proposition, which is fairly well settled. However, I have already found that the plaintiff has not been able to discharge even the initial burden upon him, with regard to the properties in schedule C being joint family properties and that they were purchased only out of surplus income that was available meeting of all family maintenance, expenses and sufficient to acquire the schedule C property items. Therefore, the decision is no way helpful to the appellant.

38. In ***Adiveppa***'s case also, the Hon'ble Supreme Court held that

in Hindu Law, the principle is that there is a legal presumption of every Hindu Family being joint in food, worship and estate and in the absence of any proof of division, such legal presumption continues to operate in the family and therefore, the burden would lie upon the member, who after admitting the existence of joint family in the property, asserts claims that some properties are his self acquired properties. The facts of the present case are otherwise. In fact, admittedly, the plaintiff after marriage, left the family home and was given a separate residence on rental basis. This is not a case where this is a common kitchen or even common living. This is a converse case, where the plaintiff come to Court claiming that properties purchased in the individual names of defendants 5 to 10, are joint family properties. Therefore, this decision also is not applicable to the facts of the present case.

39. In ***Surendra Kumar***'s case, on facts, the Hon'ble Supreme Court held that the family possessed joint property and had sufficient nucleus and therefore, the burden stood shifted to the parties alleging self acquisition to establish affirmatively that the properties acquired without the aid of joint family funds. Here, it has already been discussed

and held that the plaintiff has not been able to discharge even the initial burden, there was cast upon him.

40. In ***Prahlad Pradhan***'s case, the Hon'ble Supreme Court held that the burden of proof would lie on the member, who admits the rank and status, but, contends that some properties are self acquired properties. This again is of no application to the facts of the present case as the defendants had never advocated a joint status and have been only consistently asserting that the schedule A and B have been partitioned even in the year 1988.

41. In ***Rajabhuvanesari***'s case, this Court, on facts, found that the plea of oral partition set up by the defendants had not been established and therefore, this judgment also cannot be applied to the facts of the present case. Similarly, in ***Ramansamy***'s case also, this Court held that on the facts of in the said case, an oral partition in the year 1978 had not been established successfully and therefore, the property could only be held as joint and undivided.

42. In ***Dorairaj***'s case, the Hon'ble Supreme Court held that once ancestral property is yielding income were shown to be in existence and acquisition is made during the subsistence of the joint family, the burden would shift to the defendants to establish the self acquisition. Again, there is no quarrel with regard to the said proposition laid down by the Hon'ble Supreme Court. However, on facts, it is not even the case of the plaintiff that family lived under one roof with a common kitchen and that there was no separate demarcation of the income of the family members and that all income was put into the common joint family hotspot. More over, the fact that the plaintiff was himself residing away from the family after his marriage and acquisitions made during such period of time cannot be construed as properties acquired from and out of income yielding joint family properties. Therefore, the ratio laid down in this decision, does not also come to the rescue of the appellant / plaintiff to contend that the initial burden has been discharged and burden shifts to the defendants to establish self acquisition.

43. In my considered opinion that the trial Court has rightly assessed the oral and documentary evidence and found that the plaintiff

has miserably failed to establish existence of surplus joint family funds, that had accrued from income generated from schedule A and B properties and that from and out of the same, the schedule C items had been purchased. The plaintiff has not established the acquisition of schedule C properties from and out of surplus joint family funds as well.

44. Therefore, I do not find any valid or justified reasons to interfere with the well considered findings of the trial Court, dismissing the suit. Even with regard to D schedule property which comprises of jewelry items, the plaintiffs have come to Court stating that the schedule D jewelry items are available for partition, the very existence of items in schedule D is disputed by the defendants.

45. In such circumstances, in the absence of any acceptable material to substantiate the very existence of the jewelry in the first place, leave alone the same being available for partition, on account of being joint family jewels, I do not see how the plaintiff can succeed to a share even in respect of schedule D properties.

46.Result:

In fine, there is no merit in the appeal and the plaintiff is not entitled to the reliefs for partition, injunction as well as mense profits as prayed for. The appeal suit is dismissed. Considering the relationship between the parties, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Neutral Citation Case : Yes / No **10.04.2026**
Index : Yes/No
LS

To
1.The Principal District Court,
Vellore.

2.The Section Officer,
VR Section,
Madras High Court,
Chennai.

P.B.BALAJI.J,

LS

Pre-delivery Judgment made in
A.S.No.234 of 2024
& CMP.Nos.8465 & 8468 of 2024

10.04.2026