



WEB COPY

CMP No. 8933 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CMP No. 8933 of 2026

in

A.S.No.430 of 2026

R.Sangeetha

..Appellant(s)

Vs

S.Gowtham

..Respondent(s)

To stay the decree dated 12.01.2026 passed in OS.No.172 of 2024 by the learned III Additional District Judge, Gobichettipalayam, Erode District.

For Appellant(s):

Mr.J.Titus Enock

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

The Suit in O.S.No.172 of 2024 had been filed seeking partition and separate possession of a property, which had been purchased jointly by the appellant and the respondent.



2.It is contended by the learned counsel for the appellant that the appellant and the respondent had entered into a Partnership Deed and thereafter, had purchased a property. But however, the Partnership Deed had not been produced as document to enable the trial Court to determine the shares to be allotted to each party. Therefore, the trial Court had fallen back on Section 45 of the Transfer of Property Act, 1882 and had granted equal share in the property.

3.There need not be any stay of the decree. The petition seeking stay stands dismissed, particularly because, final decree application has not been filed.

(C.V.K.,J.) (K.R.S.,J.)
16-04-2026

smv



To

The III Additional District Court, Gobichettipalayam, Erode District.

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**C.V.KARTHIKEYAN, J.
AND
K.RAJASEKAR, J.**

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