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AS No. 1213 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 19.02.2026

PRONOUNCED ON : 02.06.2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

AS No. 1213 of 2025

Fousia

..Appellant

Vs

1. Gulab John,

2. M.Nazar Basha

3. M.Jaffar Basha

4. M.Sameer Basha

5. Madhiha

..Respondents

To set aside the impugned Judgment and Decree dated 20.09.2023 passed in OS No.194 of 2020 by the Learned Additional District Judge, Krishnagiri.

For Appellant : Mr.S.Abdul Mussawwir Khan for
Mr.S.Haja Mohideen Gisthi

For Respondents : Mr.Santhosh Kumar For R2 & R4

Mr.A.Ansar For R1 & R5
Mr.M.Baasil For R3



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JUDGMENT**(Judgment of the Court was delivered by V.Lakshminarayanan J.)**

The present appeal assails the judgment and decree of the learned Additional District Judge, Krishnagiri in O.S.No.194 of 2020 dated 20.09.2023.

2. The plaintiff is the appellant. For the sake of convenience, the parties shall be referred to as per their ranks in the suit.

3. The plaintiff sued for partition of the suit schedule mentioned property into six equal shares and for allotment of one such share in her favour. She also sought for an appointment of an Advocate Commissioner, in order to enable the court, to pass a final decree. In addition, she prayed for a decree of permanent injunction restraining the defendants 2 and 3 from interfering with her peaceful possession and enjoyment of the suit property except otherwise, in accordance with law, and for costs.

4. The case of the plaintiff is that the suit schedule mentioned property belonged to one Piyaru Bi, the wife of Basha Sahib. She is the maternal grandmother of the plaintiff and the defendants 2 to 5. Piyaru Bi had only one daughter by name Gulab John. Gulab John is the first defendant.

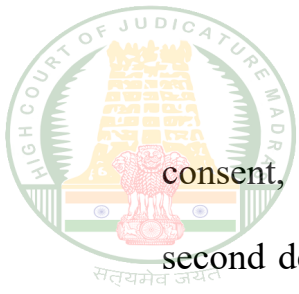


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5. Piyaru Bi had purchased the suit schedule mentioned property from one Sadharunnisa Begum by way of a registered sale deed in Document No.1271 of 1981. The said document was registered on the file of the Sub Registrar of Krishnagiri on 04.05.1981. The total extent of the property purchased by Piyaru Bi was 3.76 acres.

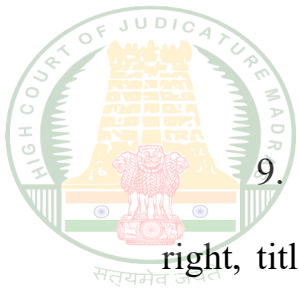
6. The plaintiff pleaded that she plaintiff married one Mohamed Sabeer in 2000. Post the marriage, the plaintiff started residing with her husband. Piyaru Bi's husband Basha Sahib passed away on 12.03.2004. Piyaru Bi herself passed away on 01.11.2012. All the parties to the suit were in peaceful possession and enjoyment of the property purchased by Piyaru Bi. It was alleged that Piyaru Bi left behind the first defendant as her only legal heir. As the first plaintiff and the defendants are having right over the properties purchased by Piyaru Bi, the plaintiff urged that all of them orally agreed to partition the property into equal shares. Pursuant to this oral agreement, the defendants 1 to 4 are in possession of the property and have let out the buildings therein for rent and generating income. Insofar as the remaining vacant land is concerned, they are doing Hollow Brick business.

7. The plaintiff urged that despite the assurance of the defendants that she would be allotted 1/6th share, it was not done so. Without her knowledge and



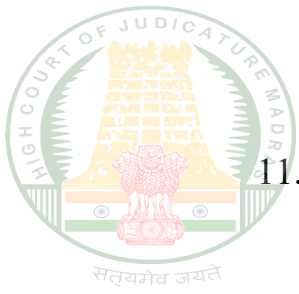
consent, the defendants *inter se* divided the said property. She urged that the second defendant had also mutated patta in his favour. On coming to know of this claim of the second defendant, the plaintiff caused an enquiry. It was then she came to know that Piyaru Bi had executed a “WILL” in favour of one Mohammed John in the year 2004 and had cancelled the same in the year 2007. Thereafter, a settlement deed was executed in favour of the second defendant on 10.12.2007, which was subsequently cancelled on 29.02.2008. On the same day, Piyaru Bi was said to have executed a settlement deed in document No.720 of 2008 in favour of her daughter, the first defendant, which was again cancelled by another document No.947 of 2008 dated 13.03.2008.

8. Three days before the cancellation of the settlement deed by Piyaru Bi executed in favour of the first defendant, the first defendant had executed a settlement deed in document No.878 of 2008 in favour of her husband, one Mohammed John, who is none other than the father of the plaintiff. This deed was executed on 10.03.2008. This document too, was cancelled by way of another deed in document No.1125 of 2008 on 24.03.2008. The plaintiff urged that the second defendant had executed a document in favour of his mother and that, her father Mohammed John had executed a settlement deed in document No.1124 of 2018 in favour of the fourth defendant on 06.04.2018.



9. The plaintiff further alleged that the second defendant, without any right, title or interest over the property, but on the strength of the settlement deed which had already been cancelled, has executed several settlement deeds in favour of third parties. Similarly, the fourth defendant had executed a power of attorney in document No.679 of 2019 on 25.02.2019 in favour of one Venkat, son of Sengodan. The said Venkat, on the strength of the Power of Attorney, had executed a sale agreement in document No.793 of 2019 in favour of two third parties on 06.03.2019. She pointed out that the Sub Registrar, without verifying the title to the property and without any reference to the cancellation deeds had registered all the aforesaid documents.

10. The plaintiff further pleaded that the defendants 1 to 4 were attempting to grab the property in order to cheat the plaintiff on her rightful share. She further alleged that the second and fourth defendants, in association with certain unruly elements, were forcing the plaintiff to give up her share over the suit property. She further alleged that the fourth defendant had filed a suit for declaration and for injunction in O.S.No.202 of 2019. The plaintiff and the third defendant had been arrayed as parties in the said suit. On account of these attempts of the defendants to deny her share and also the act of the fourth defendant staking an independent claim, she presented the suit for the aforesaid reliefs.



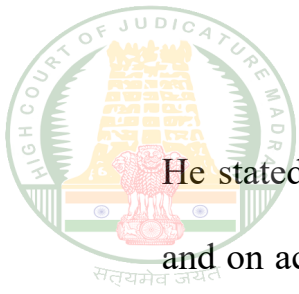
11. Summons were served on the defendants.

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12. The third defendant filed a separate written statement. He admitted to the relationship set forth in the plaint. He also admitted to the title of Piyaru Bi. He denied that the first defendant was the sole legal heir of Piyaru Bi and her husband, Basha Sahib. He also denied the claim of the plaintiff to a share in the property. He pleaded that he was made aware that the second defendant, without any right, based on the settlement deed, had created several bogus documents in the nature of settlement deeds, general powers of attorney, sale agreements and sale deeds in favour of third parties. He agreed that the fourth defendant had executed a general power of attorney in favour of one Venkat who had, in turn, executed sale agreements in favour of third parties.

13. The third defendant also agreed that a suit for declaration of title and for injunction had been presented in O.S.No.202 of 2019 on the file of the learned Additional District Judge at Krishnagiri and that, the same is pending. He projected an alternate case. He stated that Piyaru Bi had gifted 11,000 sq. ft. in S.No.119/1 B on Krishnagiri-Bangalore Road to him. This gift was by way of “*Hiba*” in the presence of three witnesses, namely,

- (i) Rasiya Begum,
- (ii) Farook, and
- (iii) Fousia, the plaintiff.



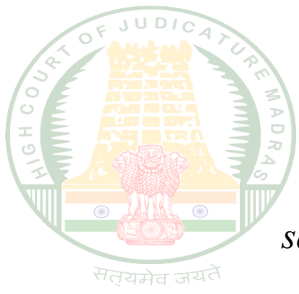
He stated that pursuant to oral “*Hiba*”, the property was also delivered to him and on accepting the gift, he had also taken possession thereof. He pleaded that after the oral “*Hiba*”, he had constructed 12 shops over the 11,000 sq. ft gifted to him and on the remaining portion, he was manufacturing hollow bricks, after due registration with the appropriate authorities. He urged that all these actions were to the knowledge of all the members of the family, including Mohammed John, their father.

14. The third defendant further pleaded that for two shops, he had allowed his father to collect rent and was sharing the same with their father. He claimed that there was no valid gift made by their father, Mohammed John in favour of the fourth defendant. He urged that he has been in continuous possession and enjoyment of the property to the exclusion of all others from the date of “*Hiba*”, namely, 01.01.2007 till date and that the claim of the plaintiff is untenable.

15. On the basis of these pleadings, the court framed the following issues:

“ 1. Whether it is true that the plaintiff and the defendants are jointly enjoyed the suit properties?

2. Whether it is true that the second defendant was adopted by Piyaru Bi and the suit properties belongs to the Piyaru Be was gifted by her in favour of the second defendant?



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3. *Whether it is true that the land to an extent of 11000 sq.ft. in S.No.119/1-B was orally gifted by Piyaru Bi in favour of third defendant on 01.01.2007 and the third defendant is in possession and enjoyment of the same?*

4. *Whether the Plaintiff is entitled to the relief of Preliminary Decree for partition and separate possession as prayed for?*

5. *Whether the Plaintiff is entitled to the relief of permanent injunction against the defendants 2 and 4 as prayed for?*

6. *To what other relief, the plaintiff is entitled to?"*

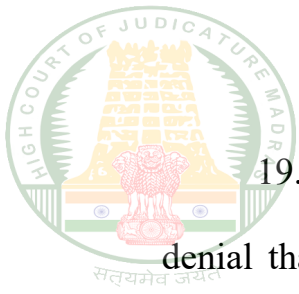
16. The matter was taken up for trial. On the side of the plaintiff, she examined herself as PW1 and marked Ex.A1 to Ex.A14. On the side of the defendants, the second defendant examined himself as DW1. The third defendant examined himself as DW2. One Farook was examined as DW3. Two other witnesses namely, Chandran and Puppytha Banu were examined as DW4 and DW5. The defendants marked Ex.B1 to Ex.B10. The legal heirship certificate of Piyaru Bi together with the communication letter of the jurisdictional Tahsildar were marked as Ex.X1 and Ex.X2.

17. On a consideration of the evidence, the learned Trial Judge concluded the first issue holding that the plaintiff and the defendants were in joint possession of the property. Insofar as second issue is concerned, he held that



Islamic Law does not permit adoption and therefore, the claim that the second defendant had been adopted as the son of Piyaru Bi is untenable. He further concluded that as the settlement deed executed by Piyaru Bi in favour of the second defendant had been cancelled by her vide document No.719 of 2008 on 29.02.2008, the settlement deed had not come into force. On issue no.3, he concluded that the oral “*Hiba*” dated 01.01.2007 claimed by the third defendant is utter falsehood and had been projected to grab the property by the third defendant. On issue No.4, he held that as the first defendant Gulab John claims to be the adopted daughter of Piyaru Bi and since Islamic Law has no provision for adoption, no right would flow to the first defendant on the death of Piyaru Bi and consequently, the plaintiff and the defendants have no right over the suit properties. Finally, he concluded that as the plaintiff had failed to establish the property is a joint family property, and hence, she is not entitled to the relief of injunction. Consequently, he dismissed the suit. Hence, the present appeal.

18. Considering the close relationship between the parties, we called upon them to appear before us in order to bring forth the settlement. Unfortunately it did not bear fruit. Consequently, we heard Mr.Abdul Mussawwir Khan for Mr.Haja Mohideen Gisti for the appellant. Mr.A.Ansar for respondents 1 and 5. Mr.Santosh Kumar for the respondents 2 and 4 and Mr.M.Baasil for the third respondent.



19. Referring to the pleadings, Mr.Khan urged that in absence of specific denial that the property will not come down to the plaintiff, the court below erred in dismissing the suit. He submitted that the view taken by the learned Trial Judge that adoption amongst Muslims is invalid is contrary to the judgment of the Kerala High Court in *Philips Alfred Malvin v. Y.J.Gonsolvis, AIR 1999 Ker 187*, whereunder the Kerala High Court had held that an adopted son gets an equal inheritance right as that of natural son. He pointed out that there has been an incorrect application of Islamic Law by the trial court and vital documents and legal heirship certificates produced had been ignored by it. He pointed out that there was an inherent contradiction in the judgment of the trial court. He stated that having come to the conclusion that the parties are in joint possession of the properties, the court ought not to have dismissed the suit. Furthermore, he urged that when the plaintiff had pointed out the alienation of properties on the basis of documents which had been cancelled, these issues had not been referred to by the trial court at all. Hence, he pleads that the judgment and decree of the court below be set aside and the preliminary decree for partition be granted.

20. Per contra, Mr.Santhosh Kumar urged that by virtue of Ex.A1, the deceased Piyaru Bi had settled the property in favour of the second defendant and he had become the absolute owner of the property. He pointed out that



having become absolute owner, it is not open to the plaintiff to stake a claim over the same.

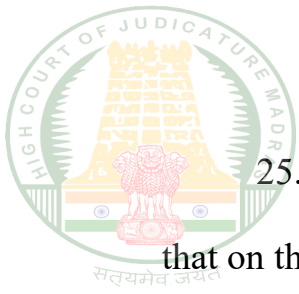
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21. The counsel for the third defendant, inviting our attention to the documents filed under Ex.B4 to Ex.B9, urged that he had proved the oral “*Hiba*” and had taken possession of 11,000 sq. ft and consequently, the suit against the property over which he has a right cannot be sustained.

22. We have carefully considered the submissions of all sides. We have gone through the records.

23. The point for consideration is *whether the appeal deserves any consideration at the hands of this Court?*

24. A perusal of the pleadings and evidence points out that the property belonged to one Piyaru Bi. She is not the biological mother of the first defendant. The first defendant had been brought up as the child of Piyaru Bi and her husband, Basha Sahib. Piyaru Bi is said to be a sister of the first defendant's biological mother. Piyaru Bi and Basha Sahib seem to have brought Gulab John under their custody and were taking care of her.

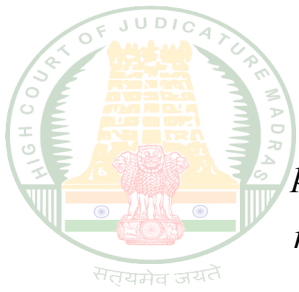


25. A perusal of Ex.X1 marked through DW5, Deputy Tahsildar shows that on the death of Piyaru Bi's husband Basha Sahib, both Piyaru Bi and Gulab John had applied for and obtained a legal heirship certificate that they are the legal heirs of Basha Sahib. It was urged by the counsel for the appellant that Ex.X1 is sufficient for the purpose of proving the relationship between Piyaru Bi and Gulab John. We are not in a position to agree.

26. A legal heirship certificate is a document issued by the Revenue Department. It does not and cannot conclude the relationship between the parties. As held by the Full Bench of this Court in P.Venkatachalam v. Tahsildar in W.P.No.25247 of 2021 dated 23.02.2023, a legal heirship certificate issued by the Tahsildar is a relationship certificate merely reflecting the opinion of the said authority on the basis of enquiries conducted by him. A legal heirship certificate is not a conclusive proof of heirship which can supersede personal laws.

27. This takes us to the Personal Law among Muslims with respect to adoption. The principle has been clearly enunciated by Mahmood, J. in ***Muhammad Allahabad Khan v. Muhammed Ismail Khan, (1888) ILR 10 ALL 289***. The eminent Judge held as follows:

“Adoption and its legal effects were abrogated, by the express words of the Quran and have never since found a



place in Muhammadan jurisprudence in connection with marriage, inheritance, or for any other legal purpose.”

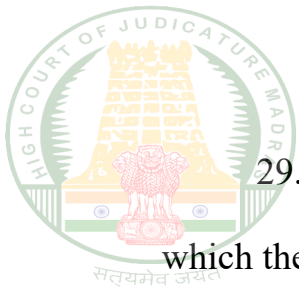
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28. The Holy Quran in two verses in *Surah Al-Ahzab* specifically declares that adoption is not permissible in Islam. The two verses are Ayat 33:4 and 33:5. We are referring to the Pickthal translation of the Holy Quran which reads as follows:

“33:4 - Allah hath not assigned unto any man two hearts within his body, nor hath He made your wives whom ye declare (to be your mothers) your mothers, nor hath He made those whom ye claim (to be your sons) your sons. This is but a saying of your mouths. But Allah saith the truth and He showeth the way.

and

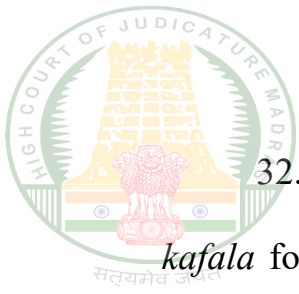
33:5 - Proclaim their real parentage. That will be more equitable in the sight of Allah. And if ye know not their fathers, then (they are) your brethren in the faith, and your clients. And there is no sin for you in the mistakes that ye make unintentionally, but what your hearts purpose (that will be a sin for you). Allah is Forgiving, Merciful.”



29. These two revelations came during the Medina Period. The context in which they were revealed involves a freed slave by name Zayd Ibn Harithah. He had been adopted by the Holy Prophet before his Prophethood. The Prophet named Zayd as Zayd Ibn Muhammad. Post the revelations, he directed Zayd to revert to the original position and to reflect that name of his biological father Zayd Ibn Harithah. This was a specific change from the Pre-Islamic practice in Arabia.

30. During the Pre-Islamic period called “*Jahiliyyah*” or the period of ignorance and barbarism, there was a practice among the Arabs known as “*Tabanni*”. Under this practice, a person who was adopted was treated on par with a biological son, entitled to inherit property and subject to the same marriage prohibitions as in the case of biological kinship. The reason for the revelation of the aforesaid two Ayats was to establish the sanctity of biological lineage as against those brought in by adoption.

31. The authorities on Islamic Law also point out that while adoption is prohibited, the concept of “*Kafala*” was introduced. By this concept, a person taking responsibility for a child (the former being called *kafil* and the latter *makful*) was obliged to provide for the child's maintenance and education. This too, as an Quarnic approval.

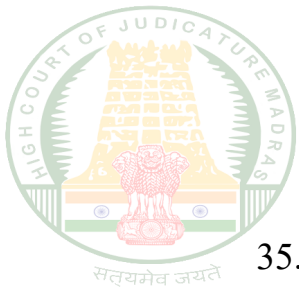


32. In *Surah Aal-e-Imran*, the Holy Quran specifically uses the term *kafala* for describing the relationship between Prophet Zakariya and Maryam.

Under Kafala, a child retains his or her biological family name and inherits from his or her biological parents.

33. In certain parts of this country, adoption as a custom was permitted. We can give an example. Under the Oudh Estates Act of 1869, Talukdars were entitled to exercise the power of adoption, on the same lines, as Hindus. This was provided under Section 29 of the said legislation. However, this legislation has become irrelevant, pursuant to the Uttar Pradesh Zamindari Land Reforms Act, 1950.

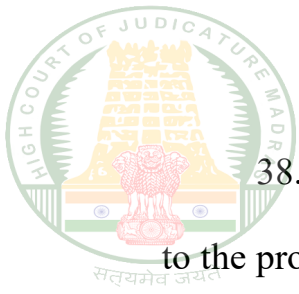
34. Since the parties to the appeal are Muslims, the applicable law will be Muslim Personal (Shariat) Application Act of 1937. As per section 2, in cases involving Muslims, a Court is required to apply the *Shariat* in matters of intestate succession, marriage and dissolution, maintenance, dower, guardianship and charitable and religious endowments. The Shariat Act specifically declares that Shariat would take precedence over local customs in personal matters (See, *C.Mohammad Yunus v. Syed Unnissa and Others*, AIR 1961 SC 808). This being the position of law, the plea of the plaintiff which was accepted by the defendants that Piyaru Bi and Basha Sahib had adopted the first defendant cannot be accepted.



35. When this aspect was pointed out, Mr.S.Abdul Mussawwir Khan, relied upon the judgment of the Kerala High Court in ***Philips Alfred Malvin***'s case, cited supra.

36. Let us look at the facts of that case. A suit for partition was filed by Philips Alfred Malvin, claiming to be the adopted son of one George Correa and his wife, Jane Correa. He claimed that he had been adopted by George Correa. The defendants challenged the maintainability of the suit, denying the right of the plaintiff as the legally adopted son of George Correa and also urged that adoption is not recognised under Christian personal law.

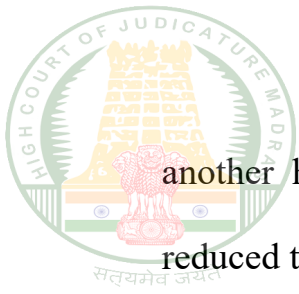
37. During the course of discussion, Justice D.Sreedevi referring to a judgment of Lahore High Court, ***Nur Mohd. v. Bhawan Shah, AIR 1936 Lah 465***, observed that Islamic law also recognises adoption, if, there is a custom prevailing among Mohammedan communities. It is this portion which Mr.Khan seeks to rely upon. We must point out that the case before the Kerala high Court concerned the question of whether Christian law recognises adoption. During the course of discussion, the learned Judge also referred to principles under Mohammedan law. This is, at best, an *obiter dictum* by the learned Judge.



38. Apart from that, the attention of the learned Judge had not been drawn to the prohibition on the application of customs under the Muslim Personal Law (Shariat) Application Act, 1937. The reliance placed upon by the learned Judge on a pre-1937 decision cannot be accepted, in the light of Section 2 of the Shariat Act. Hence, the judgment in Philips Alfred Malvin does not aid of the case of the appellant.

39. Further, as per Islamic law, during the lifetime of the first defendant, her children, the plaintiff and the defendants 2 to 5 cannot claim a right over the property by virtue of succession. This is by virtue of the principle of “*Al-hajb*” also called the rule of exclusion. This is the principle in Islamic law by which certain relatives are either barred entirely or partially from inheriting the property of a deceased person due to the fact that a closer relative is still alive. The logic behind the rule of exclusion is that those nearer in degree exclude those more remote.

40. Hajb has two forms of exclusion, namely, “*Hajb Irman*” and “*Hajb Nuqsan*”. In the case of “*Hajb Irman*”, a rightful heir is completely prevented from receiving any share because another heir with higher priority is still alive. An example we can give is that a son totally excludes a grandson - son's son and a father totally excludes a grandfather and full brothers. “*Hajb Nuqsan*” refers to a situation where an heir's share is reduced on account of the presence of



another heir. An example we can readily give is that a husband's share is reduced to $\frac{1}{4}^{\text{th}}$ from $\frac{1}{2}$, if the deceased has left behind children.

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41. The non-excludable heirs are called the primary heirs. They are the son, daughter, father, mother, husband and wife. The parties are governed by Sunni law. Under Sunni law, full siblings exclude consanguine siblings because they share both parents with the deceased.

42. The plaintiff and defendants 2 to 5 do not fall under this category. It is not in dispute that Piyaru Bi and Basha Sahib did not have any issues. During the lifetime of Gulab John, she completely excludes the other parties. Therefore, there is no cause of action for the plaintiff or her siblings to make a claim as long as the first defendant is alive. The first defendant, as pointed out earlier, is the sister's daughter of Piyaru Bi.

43. During the course of submissions, all the counsel agreed that the siblings of the deceased Piyaru Bi have left behind the children. They are said to be residing in Thirvannamalai. As we have concluded that the claim of adoption under Islamic law is impermissible, on the death of Piyaru Bi, the property devolves on her siblings' children who are alive and who are in closer proximity of relationship to the deceased than her sister's grandchildren, namely, the plaintiff and defendants 2 to 5.



44. The trial court has returned a finding that the oral “*Hiba*” projected by the third defendant has not been proved. This is on account of the fact that he had filed a written statement in OS.No.202 of 2020 on the file of the learned Additional District Judge at Krishnagiri, wherein he had allegedly pleaded that the suit properties are the joint properties of the plaintiff and the third defendant himself.

45. We are not in a position to support the said finding on account of the fact that the written statement said to have been filed by the third defendant in O.S.No.202 of 2020 had not even been marked as an exhibit in the present suit. Unless and until a document is presented to a court for its perusal and marked through an appropriate witness, the court ought not to have referred to the same. The third defendant Jaffar Basha had entered the witness box as DW2. He had not been confronted with the written statement said to have been filed in O.S.No.202 of 2020.

46. Admissions, by the very nature, are not conclusive proof. When properly confronted and exhibited, they may operate as estoppel. However, a person against whom such admission is sought to be proved has a right under the Evidence Act to explain the alleged admission. This is provided in Section 31 of the Indian Evidence Act, which explicitly states that admissions are not



conclusive proof of matters admitted. A party still has the right to show before the court that the statement was made erroneously or mistakenly.

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47. Section 21 of the Evidence Act provides that admissions can be proved against the maker. Yet, it carves out three exceptions to the said rule.

They are,

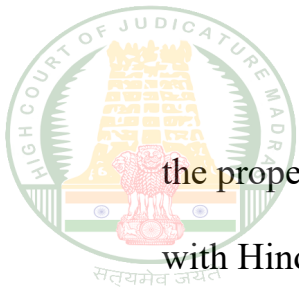
(i) when the statement is of such a nature that it would be relevant under Section 32,

(ii) when it describes the state of mind or body made at the time it existed, and

(iii) when it is relevant otherwise than an admission say as a *res gestae* under Section 6 of the Evidence Act.

48. We cannot confirm the finding of the learned Additional District Judge holding that the third defendant is bound by the written statement presented in O.S.No.202 of 2020, when that statement had not even been put to DW2 and had not been proved in the manner known to law. Hence, the findings to those effects are vacated.

49. With respect to the claim of the second defendant that he had obtained title to the property by virtue of Ex.A1 and was therefore entitled to deal with



the property as he pleases, yet again we have to point out that we are not dealing with Hindus but with Muslims.

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50. Insofar as Muslims are concerned, the law of gifts has been clearly enunciated by the Supreme Court in *Mansoor Sahib and Others v. Salima and Others, 2024 INSC 1003*. The Supreme Court reiterating the well established principles pointed out three elements which are essential to make a valid gift. They are:

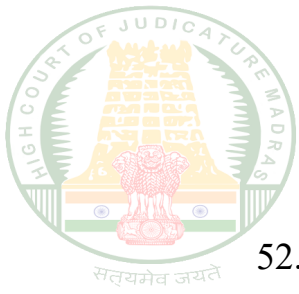
(a) The gift has to be necessarily declared by the person giving the gift i.e., the donor;

(b) Such a gift has to be accepted either impliedly or explicitly by or on behalf of the donee; and

(c) Apart from declaration and acceptance, there is also a requirement of delivery of possession for a gift to be valid.

In the absence of any one of these essential requirements, the gift cannot be held to have been proved in the manner known to law.

51. The mere fact that the settlement deed had been executed and registered and it contains the clause that possession had been handed over also does not satisfy the requirements of Islamic law. In *Renikuntla Rajamma v. Sarwanamma, (2014) 9 SCC 445*, the Supreme Court dealt with the issues regarding the validity of gift and the statements made in a gift deed.



52. In paragraph 15 of the said judgment, the Supreme Court pointed out that by virtue of Section 129 of the Transfer of Property Act, nothing in the said legislation would affect any rule of Mohammedan Law. The three Judge bench concluded that the law, as on today, protects only rules of Islamic Law from the rigors of Chapter VII of Transfer of Property Act relating to gifts. Hence, the defendants 2 and 4 ought to have proved before the court that, apart from relying on Ex.A1, the donor Piyaru Bi not only handed over possession of the property to the donee, but that the donee also accepted the same. Insofar as that aspect is concerned, absolutely no material has been placed before the court. Hence, we are not in a position to conclude that Ex.A1 stood proved in terms of applicable Islamic law.

53. In the light of the above discussion, the only conclusion we can arrive at is that the dismissal of the suit is not legally impeachable, not for the reasons given by the trial court, but for the reasons set forth above. If at all any one has a right over the property of Piyaru Bi, it is only her heirs as per the Shariat. There is no cause of action for the plaintiff and defendants 2 to 5 to seek partition of the assets left behind by Piyaru Bi, when her closer legal heirs are alive. We have already recorded that there are other legal heirs of Piyaru Bi.



54. Furthermore, the plaint also reveals that even before the suit was presented, the property had been alienated in favour of certain third parties. It is upto the first defendant or any other heir of the deceased to institute an appropriate suit including one for partition claiming a share over the property left behind by Piyaru Bi. Needless to add, in such a suit, the alienees of the property would necessarily have to be impleaded to obtain a legally binding decree.

55. In fine, the appeal is dismissed. No costs.

(N.S.K.,J.) (V.L.N.,J.)
02-06-2026

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

To

1.The Additional District Judge, Krishnagiri



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AS No. 1213 of 2



**N.SATHISH KUMAR, J.
AND
V.LAKSHMINARAYANAN, J.**

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AS No. 1213 of 2025

02.06.2026