

**IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE,
KRISHNAGIRI**

**Present: Thiru.V.Damodaran, B.L.M., M.L.,
Additional District Judge, Krishnagiri**

Thursday, this the 02nd day of April 2026

**Appeal Suit No.51/2023
(CNR No.TNKI01-004723-2023)**

1. K. Venkatesan, aged about 80 years, S/o. Krishnamoorthi, residing at Mookkampatti Village, Oddapatti Post, Pochampalli Taluk, Krishnagiri District.
2. Kumar, aged about 54 years, S/o. K. Venkatesan, residing at Mookkampatti Village, Oddapatti Post, Pochampalli Taluk, Krishnagiri District.
3. Padmavathi (Died)
4. Elango, aged about 61 years, S/o. K. Ramachandran,
5. Ashwin, aged about 32 years, S/o. Elango
6. Abinav Elango, aged about 30 years, S/o. Elango

Appellants 4 to 6 are residing at Mookkampatti Village, Oddapatti Post, Pochampalli Taluk, Krishnagiri District and presently living at No.1/31st Cross Street, Besant Nagar, Chennai -600 090.

... Appellants/ Defendants
Nos. 5, 6 and 7

(Amended as per order in IA.No.5 /2025, dated 28.01.2025)

/ Versus /

1. Hassena, aged about 39 years, D/o. Late. Gulab Jan and W/o. Noor Mohammed, residing at Jagadevi Village and Post, Krishnagiri Taluk.
2. Ayisha, aged about 37 years, D/o. Late. Gulab Jan and W/o. Rafiq Basha, residing at Samalpatti Village and Post, Uthangarai Taluk.

...Respondents/ Plaintiffs

3. Mumtaz, aged about 60 years, W/o. Late. Gulab Jan, residing at Kodamandapatti Village and Post, Pochampalli Taluk, Krishnagiri District.
4. Jameel, aged about 43 years, S/o. Late. Gulab Jan, residing at Kodamandapatti Village and Post, Pochampalli Taluk, Krishnagiri District.

5. K.H. Ameerjan, aged about 63 years, S/o. Late Sheil Hussain Sahib, residing at Kodamandapatti Village and Post, Pochampalli Taluk, Krishnagiri District.

6. Mujibur Rahaman, aged about 35 years, S/o. Late. Gulab Jan, residing at Kodamandapatti Village and Post, Pochampalli Taluk, Krishnagiri District.

... Respondents/ Defendants
Nos. 1, 2, 3 and 8

This appeal is filed against the Judgment and Decree in O.S.No.22/2014 dated:
31.07.2023 of Subordinate Judge, Uthangarai.

Between:

1. Hassena
2. Ayisha ... Plaintiffs

/ versus /

1. Mumtaz
2. Jameel
3. K.H. Ameerjan
4. Manimekalai (Died)
5. K. Venkatesan
6. Kumar
7. Padmavathi
8. Mujibur Rahaman ... Defendants

Date of Appeal: 11.09.2023

Market Value of the Suit Properties:

Rs.28,80,000/-

Value of Appeal: Rs. 4,21,000/-

Court Fee paid: Rs.825.50/-

u/s. 52 of TNCF Act

The present appeal has been preferred by the appellants/ defendants 5 to 7 as against the decree and judgment passed by the learned Subordinate Judge, Uthangarai. The learned Subordinate Judge Uthangarai in OS.No.22/2014 decreed

the suit, thereby granting preliminary decree of partition of 7/96 shares each for the plaintiffs herein and for separate possession and further directing the defendants 5 to 7 not to make any encumbrance with respect of suit property. As against the said decree and judgment, the present appeal has been preferred.

This appeal coming for final hearing before me on 24.03.2026 in the presence of Thiru.T.S. Kannaiyan, Advocate for the Appellants/ Defendants 5, 6 and 7 and Thiru. R. Venkatasamy, Advocate for the Respondents 1 and 2 / Plaintiffs 1 and 2 and Thiru.T.M. Gowrishankar, Advocate for the Respondents 3 to 6 / Defendants 3 to 6 and upon hearing the arguments of Appellant side counsel and Respondent side counsel and on perusal of entire case records and having stood over till this day, this court delivered the following:

DECREE

1. that the Appeal be and the same is hereby dismissed.
2. that the decree and judgment in O.S.No.22/2014 dated: 31.07.2023 of Subordinate Judge, Uthangarai is hereby confirmed.
3. that there be no cost.

SCHEDULE OF PROPERTY

In Krishnagiri RD, Pochampalli Sub RD, Pochampalli Taluk, Mookkampatti Village,

1. Survey No.187, Dry 0.53.5 Hectare (1.32 Acres) Assessment 0.58 In this 1.22 acres
2. Survey No.186, Dry 0.77.0 Hectare (1.90 Acres) Assessment 0.84 In this 1.76 acres
3. Survey No.185, Dry 1.08.5 Hectare (2.68 Acres) Assessment 0.18 In this 2.48 acres

Total Extent 5.46 acres.

The boundaries for the total extent of 5.46 acres of lands are,

West of the lands of Aasai Thambi

East and south of the remaining lands of the plaintiffs and defendants 1 to 3

North of the land of Ahmed Basha

Total Market Value of 5.46 acre of land Rs.28,80,000/-

<u>BILL OF COST</u>			
		<u>Appellants (Rs.)</u>	Respondents (Rs.)
1	Stamp on Appeal	825.50	--
2	Stamp on Vakalath	10.00	--
3	Advocate fee	----	--
4	Process	----	--
	Total	835.50	--

Both side Bill of Cost not filed.

Given under my hand and the seal of this court, this the 02nd day of April 2026.