

IN THE COURT OF PRINCIPAL SUBORDINATE JUDGE, KARUR

**Present: T.V.Mani, B.A., LL.B.,
Principal Subordinate Judge, Karur
Friday, the 18th day of August 2017
Original Suit No.327/2013**

1)Chinnathai
2)Arukkani

... Plaintiffs

/vs/

1)Shanmugam(Died)
2)Banumathi
3)Manimegalai
4)Muruganandam
5)Senthoor
6)Selvarani
7)Kandavel
8)Minor Suganya (aged about 16 years
rep by mother and guardian Arunmathi)
9) Minor Suba Mithra (aged about 15 years
rep by and guardian Arunmathi)
(As per the order passed in IA.1140/2016
the word (Died) is inserted after D1's name
and plaint is amended)

... Defendants

This Suit was coming on 18.08.2017 for final hearing before me in the presence of counsel appearing for the Plaintiffs Thiru.E.K.Kumaresan, and 1st Defendant reported died and Defendants 2,3,5 to 7 remained exparte and of Thiru.S.Rajendran, counsel for the 4th Defendant and of Thiru.Thangamani, counsel for the Minor Defendants 8 and 9 and upon perusing the records and having stood over till this day for consideration, this court delivered the following.

JUDGMENT

1) The Suit is filed by the Plaintiffs praying for;

a) granting a decree for Partition dividing the suit property into 4 equal shares with reference to good and bad nature of the soil and to allot Two such share to the plaintiff with separate possession thereof

b) Directing the defendants to pay the costs of suit.

c) granting such other and further reliefs as this Honorable Court deems fit and proper in the nature and circumstances of the case and thus

render justice.

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Heard both side counsel Perused the entire case records. For filing of Amendment application does not arise. As far as the IA.359/2016 prayer is concerned to withdraw the present. Suit with Liberty to file a fresh Comprehensive Suit. U/o 23 Rule 1(3) C.P.C. Hence in view of the order passed in IA.359/16 Dated 03.07.2017 permission is given to withdraw the suit, to file a fresh comprehensive suit on the same cause of action. No cost.

Pronounced by me in open Court, on this the 18th day of August 2017.

PRINCIPAL SUBORDINATE JUDGE,
KARUR.

