

In the Court of the Principal Subordinate Judge, Tiruppur.

A.S.No.13/2019

(TNTI04-002532-2019)

1.P.Rangasamy alais Mani,

2.P.Ponnusamy

... Appellants

/Vs/

1.C.Marappan,

2.P.Marakkal,

3.P.Baby,

4.R.Palaniammal,

5.P.Chinnammal,

6.C.Kamalam,

7.C.Suresh,

8.M.Nisha, (Amended as per order in IA 2/2025, dated.25.03.2025)

... Respondents

Valuation of immovable property for purpose of Court fees and Suit Valuation Act, 1955

Section and Sub Section of the Act	Nature of the suit	Annual Revenue of rent payable	Market value	Value for purpose of Court Fees
Section 37(2) of TNCT & SV Act, XIV of 1955 as amended by Act 6/2017	Suit for partition and separate possession	Nil	Rs.1,00,000/-	Court fee paid is Rs.5,000/-

Sd/ 1. Xxxxxx

2. xxxxxxx

Appellants

Sd./xxxxxxxx

Counsel for the Appellants

/By Order/

Sherishtadar

Principal Sub Court, Tiruppur.

In the Court of the Principal Subordinate Judge, Tiruppur.

Present: Dr.V. Sree Vidya,
Principal Subordinate Judge,
Tiruppur.

Monday, the 09th day of March, 2026

(Thiruvalluvarandu, 2057 Visuvavasu varudam, Maasi Thingal 25th day)

A.S.No.13/2019

(TNTI04-002532-2019)

- 1) P.Rangasamy alais Man, Son of Periya Pappa Naicker, aged 53 years, residing at 3/79, Parappalayam, Mannarai village, Tirupur Town, Tirupur North Taluk and Tirupur District.
- 2) P. Ponnusamy, Son of Periya Pappa Naicker, aged 58 years, residing at 3/57, Parappalayam, Mannarai Village, Tirupur Town, Tirupur North Taluk and Tirupur District.

... Appellants

/Vs/

1. C.Marappan, S/o. Chinna Subba Naicker, aged about 63 years, residing at Gattu thottam, Mannarai Village, Tirupur Town, Tirupur North Taluk and Tirupur District.
2. P.Marakkal, W/o. Pappa Naicker @ Chinna Pappa Naicker, aged about 67 years, residing at 1/97, S.Periyapalayam, Perundurai Taluk, Erode District.
3. P.Baby, W/o. Palanisamy, aged 43 years, residing at 32, KNP Colony, Subramani Nagar, Nallur, Tirupur Town, Tirupur South Taluk and Tirupur District.
4. R.Palaniammal, W/o. Rangasamy, aged 66 years, residing at Kulakkadu Thottam, Parappalayam, Mannarai Village, Tirupur Town, Tirupur North Taluk and Tirupur District.
- 5.P.Chinnammal, W/o. Ponnusamy, aged 61 years, residing at 3/26, Parappalayam, Mannarai Village, Tirupur Town, Tirupur North Taluk and Tirupur District.

6.C.Kamalam, W/o. Late.P.Chinnasamy, aged 66 years, residing at Gattu Thottam, Parappalayam, Mannarai Village, Tirupur Town, Tirupur North Taluk and Tirupur District. kumar

7.C. Sureshkumar, S/o.Late.P.Chinnasamy, aged 51 years, residing at Gattu Thottam, Parappalayam, Mannarai Village, Tirupur Town, Tirupur North Taluk and Tirupur District.

8 M.Nisha, D/o.Late P.Chinnasamy, W/o. Manickaraj, aged 46 years, residing at Gattu Thottam, Parappalayam, Mannarai Village, Tirupur Town, Tirupur North Taluk and Tirupur District.

(Amended as per order in IA 2/2025, dated.25.03.2025)

... Respondents

This Appeal has been preferred by the Plaintiffs/ appellants being aggrieved by and dissatisfied with the Judgment and Decree dated 20.09.2018 passed by the learned District Munsiff, Tiruppur in O.S.No.34 of 2008, whereby the learned trial court, while granting a preliminary partition decree, directed division of the suit property into three equal shares and allotted only two such shares to the Plaintiffs, thereby refusing to recognise and award the Plaintiffs' rightful entitlement of 5/6th share in the suit property as sought for in the original plaint.

Date of filing of suit :21.01.2008	Date of filing of Appeal: 21.06.2019
Cause of action arose on 12.01.2008 and subsequent dates at Tiruppur Town and Taluk.	
Value of the suit: Rs.1,00,000/- and a Court fee of Rs.500/- is paid u/s. 37(2) of the TNCF & SV Act.	Value of the Appeal: Rs.1,00,000/- and a Court fee of Rs.5,000/- is paid u/s. 37(2) r/w. Sec. 52 of the TNCF & SV Act 6/2017.

This Appeal is coming on 09.03.2026 for final hearing before me in the presence of Thiru.S.Dharmaraj, Advocate for the Appellants, and Thiru.A.Manavalan,

Advocate for the Respondents no.1, and Tmt.Chandraleka Nambiar, Advocate for the Respondent no. 8 to 10 and Appeal against R6, R7 is dismissed on 27.09.2024 and remaining Respondents are Exparte and upon perusing the Judgment and Decree of the Trial court, the grounds for appeal and other material records, and having stood over till this day for consideration, this Court doth order and direct as follows:

DECREE

- 1) that the Appeal be and the same is hereby allowed and the Judgment and Decree dated 20.09.2018 passed in O.S.No.34 of 2008 by the learned District Munsif Court, Tiruppur, be and the same is hereby set aside
- 2) that the suit O.S.No.34 of 2008 stands decreed as prayed for, and a Preliminary Decree for Partition is granted in the following terms:
 - a) that the suit schedule property, viz., land in S.F.No.305/2 admeasuring 3.35 acres (i.e., 3 acres 35 cents) situate in Mannarai Village, Tirupur Joint-11 Sub-Registration, Tirupur Taluk, Tirupur District, is hereby directed to be divided into six (6) equal shares by metes and bounds and with reference to good and bad soil.
 - b) that five such equal shares out of the said six equal shares shall be allotted to the Appellants/Plaintiffs jointly.
 - c) that the Appellants/Plaintiffs are at liberty to have their share separated in accordance with law by applying for a Final Decree.
- 3) that by considering the relationship between the parties, there shall be no order as to costs of the suit throughout.

Memo of costs		
	For Appellants Rs. P.	For respondents Rs.

		P.
Stamp on appeal memorandum	5,000.00	--
Stamp on vakklath	10.00	10.00
Stamp on batta memo	34.00	
Publication charges	1,450.00	
Advocate fees	7,150.00	
Cost certified	13,644.00	10.00

Schedule of property

Coimbatore Registration District and now Tiruppur Registration District, Tiruppur Joint – II Sub Registration, previously Palladam Taluk and now Tiruppur Taluk Mannarai village, Survey field Number 305/2 with an extent of 3.35 with list of Rs.2.75 with all maavadai and maravadai and mamool cart tracks attached with it.

Given under my hand and the seal of this Court, on this the 09th day of March, 2026.

Sd./ V.Sreevidya

Principal Subordinate Judge,
Tiruppur

Copy to

District Munsif Court, Tiruppur.

**Decree / Copy of Decree in
A.S.No.13/2019
Dated:09.03.2026
PSJ Court, Tiruppur**