

**IN THE COURT OF THE 1<sup>st</sup> ADDITIONAL DISTRICT AND SESSIONS  
JUDGE, TIRUVALLUR**

**Present : Tmt. S. TASNEEM, M.L.,**  
1<sup>st</sup> Additional District and Sessions Judge  
Tiruvallur

Thursday, dated the 12<sup>th</sup> day of March 2026

**O.S.No.363 of 2018**

Naveen Kishore

. . . Plaintiff

/Vs/

1. K.Subramaniam Naidu  
2. Vasantharani  
3. P.G.Siddharath  
4. P.G.Amarnath  
5. Bhavaniesvari  
6. M/s Axis Bank Limited,  
Rep by its Branch Manager,  
Kancheepuram branch

7. M/s UCO Bank,  
Rep by its Branch Manager,  
Vellyur village and post

. . . Defendants

This suit came up before me for final hearing on 03.03.2026, in the presence of Tr.M.KSubramani, Learned Counsel for the plaintiff, and Tr.R.Damodaran, Learned Counsel for the Defendants 1 to 5, Tr.K.V.Srinivasan, Learned Counsel for the 7<sup>th</sup> defendant, the 6<sup>th</sup> defendant filed vakalath through his counsel and not filed written statement hence, set exparte, and upon hearing arguments from both sides and perusing the case records, and after standing over for consideration till this day, this Court delivers the following:-

**JUDGMENT**

Suit is filed by the plaintiff -

- a) for Preliminary decree of partition of plaintiff's half share in the suit properties.
- b) For a final decree by appointing an advocate commissioner to inspect, measure and divide the suit properties by metes and bounds into two equal shares and to allot one such share to the plaintiff and to place the plaintiff in separate possession and enjoyment of the same.
- c) For declaration that the Registered deed of Sale dated 25.01.2002, Doc No.91/2002, SRO, Arani by the 1<sup>st</sup> defendant in favour of the 2<sup>nd</sup> defendant is null and void;
- d) For declaration that the Registered deed of sale dated 01.02.2002, Doc No.141/2002, SRO, Arani by the 1<sup>st</sup> defendant infavour of the 4<sup>th</sup> defendant is null and void;
- e) For declaration that the Registered deed of sale dated 06.02.2002, Doc No.159/2002, SRO, Arani by the 1<sup>st</sup> defendant infavour of the 4<sup>th</sup> defendant is null and void;
- f) For declaration that the Registered deed of sale dated 14.02.2002, Doc No.238/2002, SRO, Arani, by the 1<sup>st</sup> defendant infavour of the 3<sup>rd</sup> defendant is null and void;
- g) For declaration that the Registered deed of sale dated 22.02.2002, Doc No.319/2002, SRO, Arani by the 1<sup>st</sup> defendant infavour of the 3<sup>rd</sup> defendant is null and void;

- h) For declaration that the Registered deed of memorandum of deposit of title deeds dated 21.03.2007, Doc No.1976/2007, SRO, Arani, by the 4<sup>th</sup> defendant in favour of the 7<sup>th</sup> defendant is null and void;
- i) For declaration that the Registered deed of memorandum of deposit of title deeds dated 09.03.2016, Doc No.948/2016, SRO, Arani, by the defendants 2 to 5 infavour of 6<sup>th</sup> defendant is null and void;
- j) for costs of the suit.

## **2. Gist of averment in plaint :**

The 1<sup>st</sup> defendant is the father of plaintiff, 2<sup>nd</sup> defendant is the sister of 1<sup>st</sup> defendant, 3 to 5 defendants are sons and daughter of 2<sup>nd</sup> defendant and the properties are ancestral properties of the plaintiff. The properties morefully described in suit A, B, C schedule are ancestral properties of the 1<sup>st</sup> defendant, his parents are Kanaiya Naidu and Kamala Ammal, the Kanaiya Naidu's father is Pullama Naidu. The said Pullama Naidu had three sons namely Kanaiya Naidu, Papaiya Naidu and Rama Naidu. The said Papaiya Naidu died without any issue and the said Rama Naidu died leaving behind his sons Parthasarathi and Chandiraya as his only legal heirs. A partition took place between Parthasarathi, Chandriaya, Kamala ammal, K.Subramaniam Naidu (1<sup>st</sup> defendant) as per registered partition dated 04.03.1993, Doc No.386/1993. Based on said partition the 1<sup>st</sup> defendant was allotted the schedule B properties, and the said properties are the suit "A" properties. In the registered partition dated 04.03.1993 properties described in "C" schedule properties were allotted jointly in favour of the 1<sup>st</sup> defendant and his mother. Subsequently, a

registered partition deed dated 22.03.1993 Doc No.438/1993 between the 1<sup>st</sup> defendant and his mother they had partitioned “C” schedule properties, and based on the said partition deed dated 22.03.1993 schedule “A” properties were allotted to the 1<sup>st</sup> defendant and the said properties are morefully described in the schedule “B”. In respect of the properties obtained by Kamalammal as schedule “B” to the aforesaid registered partitioned dated 22.03.1993 were bequeathed as registered Will dated 06.04.1993, Doc No.14/1993 to her son 1<sup>st</sup> defendant and the said Kamalammal died on 12.05.2001. The properties acquired by the 1<sup>st</sup> defendant through the aforesaid Will dated 06.04.1993 and other ancestral properties are the suit “C” schedule property. The plaintiff's mother Sudha and the 1<sup>st</sup> defendant legally dissolved their marriage as per order of divorce dated 03.09.1992 in HMOP.NO.76/1991. As per the decree for divorce the plaintiff's mother got remarried to one Senthilkumar on 26.07.1998. So the plaintiff was living along with his mother and the plaintiff's mother demanded the 1<sup>st</sup> defendant for partition and allotment of plaintiff's half share in the suit properties. During the month of September 2017 it was found that the 1<sup>st</sup> defendant had clandestinely and illegally conveyed certain items of the suit properties infavour of the 2 to 4 defendants. The said 2 to 4 defendants are all not bonafide purchasers for value they have jointly colluded together with a view to defeat the lawful rights of the plaintiff and the said sale deeds executed by the 1<sup>st</sup> defendant infavour of defendants 2 to 4 are all sham and nominal. The defendants 2 and 5 had availed loan from the 6<sup>th</sup> defendant as per registered deed of memorandum of deposit of title deed dated 09.03.2016, Doc No.948/2016 and 4<sup>th</sup> defendant had available loan

from the 7<sup>th</sup> defendant as per registered deed of memorandum of deposit of title deed dated 21.03.2007, Doc No.1976/2007. The said transactions done by the defendants 2 to 7 are all highly illegal and non-est in the eye of law and the said documents are not binding upon the plaintiff as no consent from the plaintiff had been obtained for the same. Hence, the plaintiff is constrained to file the suit for ½ share in the suit schedule properties and declaration the subsequent registered documents as null and void. Hence, this suit.

**3. Gist of Written statement filed by the Defendants 1 to 5 are as follows :-**

The contention of the 1<sup>st</sup> defendant is that the plaintiff is not the biological son of the 1<sup>st</sup> defendant, and he willing to undergo DNA test to prove the same. The defendants admitted the relationship of the parties and the family tree mentioned in the plaint. However, have taken a stand that the suit properties does not retain any ancestral identity as on the date of filing the suit. The “A” schedule suit property which has been allotted to 1<sup>st</sup> defendant under partition deed dated 04.03.1993 were the properties which belonged to the share of Pappa Naidu and has been earlier bequeathed to the 1<sup>st</sup> defendant based on Registered Will dated 04.07.1974. On his death the 1<sup>st</sup> defendant became the absolute owner of the entire properties of Pappa Naidu's share. The “B” suit properties, the defendants have admitted the partition deed dated 22.03.1993 between the 1<sup>st</sup> defendant and his mother Kamala Ammal of the properties which were jointly allotted to 1<sup>st</sup> defendant and his mother in the earlier partition dated 04.03.1993 but there is no such property in Sy.No.211/1 as shown in Item 8 in the B schedule in the plaint.

As far as "C" schedule property, the defendants allege that Item 1 to 5 belong to Kamala Ammal and she has bequeathed the same in favour of her daughter, the 2<sup>nd</sup> defendant herein by Will dated 06.04.1993 and the said Kamala Ammal also sold property in S.No.197 measuring 2.99 Acres in the year 1994 itself and on the death of Kamala Ammal, the 2<sup>nd</sup> defendant has become the absolute owner of item 1 to 4 in plaint "C" schedule. Similarly Items 10, 12, 34, 35, 41 to 47 described in "C" schedule originally belonged to Pappa Naidu and later has settled the same infavour of Kamala Ammal. Similarly, the items 6 to 9, 11, 13, 15 to 17, 20 to 27, 29 to 31, 33, 35 to 40, 48 and 49 in the plaint "C" schedule originally belonged to Pottiammal, the mother of Kamala Ammal and the said items were bequeathed by Will dated 22.01.1982 infavour of her daughter, Kamala Ammal except the property in S.No.17, which is item 47 in the plaint C schedule. As such the said properties are the absolute properties of Kamala Ammal and the 2<sup>nd</sup> defendant derived through the Will dated 22.01.1982. On the death of Kamala Ammal the 1<sup>st</sup> defendant has acquired the same as absolute property. Thus except item 1 to 4 and 48 in Plaint C schedule, the remaining belongs to 1<sup>st</sup> defendant. The Court fees paid is not correct as the plaintiff was never in possession or deemed to be in possession of suit properties and the suit is barred by limitation and the plaintiff ought to have filed suit within 3 years of sale transaction in favour of defendants 2 to 5. Hence, prayed to dismiss the suit.

**4. Gist of Written statement filed by the 7<sup>th</sup> Defendant is as follows :-**

The suit is not maintainable in law and on facts. It is true that the 1<sup>st</sup> defendant is the father of plaintiff, the father as the owner of the property has sold away his properties to the 4<sup>th</sup> defendant P.G.Amarnath. The purchaser, availed loan for the purchase by giving the suit properties as security for the repayment of loan and 1<sup>st</sup> defendant as the Karta of the family had alienated the properties and is binding on the plaintiff. Therefore, the plaintiff is not entitled for declaration that mortgage is null and void and further the suit ought to be filed within 3 years from the date of majority. Therefore, the suit is dismissed as barred by limitation.

**5. On the basis of the above pleadings, the following issues have been framed by my predecessor:-**

- 1) *Whether the suit properties are ancestral properties in the hands of the 1<sup>st</sup> defendant?*
- 2) *Whether the plaintiff is the biological son of the 1<sup>st</sup> defendant?*
- 3) *Whether the suit properties are available for partition?*
- 4) *Whether the relief of declaration is barred by limitation?*
- 5) *Whether the plaintiff is entitled to the relief as prayed for?*
- 6) *To what other relief?*

6. To substantiate the case of the plaintiff, the plaintiff has examined himself as PW1 and Ex.A1 to A12 and Ex.C1 were marked. On the side of the defendant, the 1<sup>st</sup> defendant was examined as DW1, and one Tr.Chandirasekar was

examined as DW2 and one Tr.Jayaraman was examined as DW3 and one Tr.K.Srinivasan was examined as DW4 and one Tr.Maka Achyuth was examined as DW5 and Ex.B1 to Ex.B28 were marked.

**7. Issues No. 1 to 5 :-**

The above suit has been filed by the plaintiff Naveen Kishore against Subramani Naidu seeking the following reliefs :-

*(a) to pass a Preliminary Decree for Partition allotting the Plaintiff's half share in the suit properties;*

*(b) to pass a Final Decree of Partition by appointing an Advocate Commissioner to inspect, measure and divide the suit properties by metes and bounds into two equal shares and to allot one such share to the Plaintiff and to place the Plaintiff in separate possession and enjoyment of the same;*

*(c) to pass a declaration that the Registered Sale Deed dated 25.01.2002 in Doc.No.91 of 2002 on the file of SRO, Arani, executed by the 1st defendant in favour of the 2nd defendant, is null and void;*

*(d) to pass a declaration that the Registered Sale Deed dated 01.02.2002 in Doc.No.141 of 2002 on the file of SRO, Arani, executed by the 1st defendant in favour of the 4th defendant, is null and void;*

*(e) to pass a declaration that the Registered Sale Deed dated 06.02.2002 in Doc.No.159 of 2002 on the file of SRO, Arani, executed by the 1st defendant in favour of the 4th defendant, is null and void;*

*(f) to pass a declaration that the Registered Sale Deed dated 14.02.2002 in Doc.No.238 of 2002 on the file of SRO, Arani, executed by the 1st defendant in favour of the 3rd defendant, is null and void;*

*(g) to pass a declaration that the Registered Sale Deed dated 22.02.2002 in Doc.No.319 of 2002 on the file of SRO, Arani, executed by the 1st defendant in favour of the 3rd defendant, is null and void;*

*(h) to pass a declaration that the Registered Memorandum of Deposit of Title Deeds dated 21.03.2007 in Doc.No.1976 of 2007 on the file of SRO, Arani, executed by the 4th defendant in favour of the 7th defendant, is null and void;*

*(i) to pass a declaration that the Registered Memorandum of Deposit of Title Deeds dated 09.03.2016 in Doc.No.948 of 2016 on the file of SRO, Arani, executed by the defendants in favour of the 6th defendant, is null and void;*

**8. Issue No.2 :- (Whether the plaintiff is the biological son of the 1<sup>st</sup> defendant?)**

The brief case of the plaintiff as per the plaint averments is as that the plaintiff is the son of the 1st defendant and claims that the suit A, B and C schedule properties are ancestral properties of the 1st defendant, derived through the joint family lineage of Pullama Naidu, whose sons were Kanaiya Naidu, Papaiya Naidu (died issueless) and Rama Naidu. Pursuant to a registered Partition Deed dated 04.03.1993 (Doc.No.386 of 1993, SRO, Arani) among Parthasarathi, Chandiraya, Kamala Ammal and the 1st defendant, certain properties were allotted to the 1st defendant and the same constitute the suit A schedule properties. Further, properties allotted jointly to the 1st defendant and his mother Kamala Ammal under the said partition were

subsequently partitioned under a registered deed dated 22.03.1993 (Doc.No.438 of 1993, SRO, Arani), wherein the properties allotted to the 1st defendant constitute the suit B schedule properties. The remaining properties obtained by Kamala Ammal under the said partition were bequeathed to the 1st defendant under a registered Will dated 06.04.1993 (Doc.No.14 of 1993, Book III, SRO, Arani), and together with other ancestral properties of the 1st defendant form the suit C schedule properties. The plaintiff asserts that all the suit properties retain the character of ancestral/joint family properties and that, being the only son of the 1st defendant, he is entitled to half share therein by birth and is in joint possession and enjoyment with the 1st defendant.

9. The 2nd defendant is the sister of the 1st defendant, who was married long prior to 1989 and had already been provided with substantial properties under settlement deeds dated 03.12.1980 (Doc.Nos.1516 and 1517 of 1980, SRO, Arani) by her mother Kamala Ammal and maternal grandmother Pottiammal, and she in turn settled a portion in favour of the 5th defendant under a registered deed dated 27.01.2010 (Doc.No.308 of 2010, SRO, Arani). The marriage between the plaintiff's mother and the 1st defendant was dissolved by decree of divorce dated 03.09.1992 in H.M.O.P.No.76 of 1991, pursuant to which the plaintiff was brought up by his mother. Despite repeated demands for partition, the 1st defendant allegedly postponed division. On obtaining encumbrance certificates in September 2017, the plaintiff discovered that the 1st defendant had clandestinely alienated portions of the suit properties in favour of defendants 2 to 4 under five registered sale deeds dated

between 25.01.2002 and 22.02.2002. The plaintiff contends that the said purchasers are not bona fide, that the transactions are sham and nominal, and that defendants 2 to 5 further created encumbrances by depositing title deeds in favour of defendants 6 and 7 without the plaintiff's consent. The plaintiff therefore seeks partition and separate possession of his half share and declarations that the impugned sale deeds and mortgage/ deposit of title deeds are null, void and not binding on him.

10. Per contra, the case of the defendants 1 to 5 in brief is as that the defendants 1 to 5 deny that the plaintiff is the son or biological heir of the 1st defendant and specifically contend that there was no consummation of marriage between the 1st defendant and the plaintiff's mother, Sudharani, and that the plaintiff is not the biological son of the 1st defendant, for which the 1st defendant expresses willingness to undergo DNA testing. It is contended that the plaintiff's mother never lived with the 1st defendant, had lodged false criminal complaints against him which ended in acquittal, and that the 1st defendant obtained a decree of divorce in H.M.O.P.No.76 of 1991 on 03.09.1992, after which the plaintiff's birth was not intimated to the 1st defendant and there was no relationship or contact. While admitting the genealogy and family tree pleaded in the plaint, the defendants deny that the suit properties retain the character of ancestral/joint family properties as on the date of suit. In respect of Suit A Schedule properties allotted to the 1st defendant under the Partition Deed dated 04.03.1993, it is contended that the said properties originally belonged to Papaiya Naidu and had already been bequeathed to the 1st defendant under a registered Will dated 04.07.1974, by virtue of which the 1st

defendant became the absolute owner and the plaintiff has no birthright therein. As regards Suit B Schedule properties, while admitting the partition dated 22.03.1993 between the 1st defendant and his mother Kamalammal, the defendants deny the inclusion of S.No.211/1 shown as Item No.8 in the plaint B Schedule. With respect to Suit C Schedule properties, the defendants contend that Items 1 to 5 belonged to Kamalammal, who bequeathed the same in favour of the 2nd defendant under Will dated 06.04.1993 and that Kamalammal had also sold S.No.197 measuring 2.99 acres in 1994, and on her death the 2nd defendant became absolute owner of Items 1 to 4 of C Schedule; that Items 10, 12, 34, 35 and 41 to 47 originally belonged to Papaiya Naidu and were settled in favour of Kamalammal, making them her absolute properties; that Items 6 to 9, 11, 13, 15 to 17, 20 to 27, 29 to 31, 33, 36 to 40, 48 and 49 originally belonged to Pottiammal and were bequeathed to Kamalammal under Will dated 22.01.1982, except S.No.17 (Item 47), and that Kamalammal thereafter bequeathed certain properties to the 1st defendant under Will dated 06.04.1993, by virtue of which the 1st defendant became the absolute owner of the said properties. The defendants further contend that except Items 1 to 4 and 48 in C Schedule, the remaining C Schedule properties belong absolutely to the 1st defendant. The defendants also plead that the plaintiff was never in possession of the suit properties, that the court fee paid is improper, that the suit is barred by limitation, and that the plaintiff ought to have challenged the sale transactions in favour of defendants 2 to 5 within three years thereof, and hence the suit is liable to be dismissed with costs.

11. The defendants 1 to 5 specifically deny the paternity of the plaintiff and contend that the plaintiff is not the biological son of the 1st defendant. The 1st defendant has expressed his willingness to undergo scientific examination, including DNA test, to disprove the alleged relationship. According to the defendants, the plaintiff's mother never cohabited with the 1st defendant as husband and wife, there was no consummation of marriage, and due to matrimonial disputes, criminal proceedings initiated by her ended in acquittal, followed by a decree of divorce dated 03.09.1992 in H.M.O.P. No.76 of 1991. The defendants contend that the suit properties are not ancestral in nature and had lost any ancestral character long prior to the filing of the suit, as the properties devolved upon the 1st defendant and others through registered Wills, partition deeds dated 04.03.1993 and 22.03.1993, and settlement deeds, by virtue of which the 1st defendant and the 2nd defendant became absolute owners of their respective shares. The defendants further contend that several items in the suit schedules originally belonged to Papa Naidu, Mrs. Kamalammal and Mrs. Pottiammal and devolved upon the defendants through registered Wills and settlement deeds, thereby constituting absolute properties and not joint family or ancestral properties. The defendants deny joint possession of the plaintiff and state that the plaintiff was never in possession or enjoyment of any of the suit properties. The defendants assert that the sale deeds executed by the 1st defendant in favour of defendants 2 to 5 were valid, bona fide transactions effected by the lawful owner, and that the subsequent mortgage transactions in favour of defendants 6 and 7 were also lawful and binding, not requiring any consent from the

plaintiff. It is further contended that the suit is barred by limitation, bad for non-joinder of necessary parties, and that the court fee paid is improper as the plaintiff was never in joint possession. The defendants also allege that the plaintiff and his mother attempted to coerce the 1st defendant to part with money and that complaints were lodged with the police authorities, and that the present suit has been filed with ulterior motive and not with clean hands.

12. The plaintiff examined himself as PW1 and marked documents Ex.A1 to Ex.A12 in support of his claim. On the side of the defendants, the 1st defendant was examined as DW1 and marked documents Ex.B1 to Ex.B24. The attesting witnesses to the Will dated 06.04.1993 executed by Mrs. Kamalammal, namely Mr. Chandrasekar and Mr. Jayaram Naidu, were examined as DW2 and DW3 respectively to prove due execution and attestation of the said Will. Mr. Srinivasan was examined as DW4 to identify and prove the signature of the attesting witness Mr. M.R. Kannaiah Naidu, his late father, in respect of the Will dated 04.07.1974 executed by Papa Naidu. The Bank Official of the 7th defendant was examined as DW5 to speak about the mortgage transaction. The DNA test report has been marked as Court Document Ex.C1.

13. The Registration Copies of the Gift settlement deeds dated 03.12.1980 were marked as Ex.A1 and A2. The Regn Copy of the Partiton Deed 04.03.1993, 22.03.1993 is marked as Ex.A3 and A4. The Certified Copy of the sale deeds executed by the 1<sup>st</sup> defendant in favour of the defendants 2 to 4 were marked as Ex.A5 to A9. The Certified Copy of Mortgage Deed dated 21.03.2007, 09.03.2016

were marked as Ex.A10 and A11. Geneology Certificate of the plaintiff and defendants is marked as Ex.A12. The DNA Test report of the plaintiff is marked as Ex.A13.

14. On the side of the defendants, the 1<sup>st</sup> defendant examined himself as DW1 and through him, Ex.B1 to B24 were marked. Ex.B1 is the settlement deed executed by Pappa Naidu in favour of the 1<sup>st</sup> defendant's mother Kamalammal dated 20.09.1966. Ex.B2 is the Will executed by Pappa Naidu in favour of the 1<sup>st</sup> defendant on 04.07.1974. Ex.B3 is the Will dated 22.01.1982 executed in favour of the 1<sup>st</sup> defendant by his mother. Ex.B4 is the Will dated 04.12.2018 executed in favour of the 1<sup>st</sup> defendant by his mother. Computer Pattas in the name of defendants 1 to 4 were marked as Ex.B6 to B9. The settlement deed executed by 2<sup>nd</sup> defendant in favour of the 5<sup>th</sup> defendant dated 27.01.2010 is marked as Ex.B10. Pattas standing in the name of 2,3 defendants are marked as Ex.B11 and Ex.B12. Encumbrance Certificates in respect of the suit properties were marked as Ex.B13 to B19. The death Certificate of Pottiammal, Pappaiya Naidu, Kannaiya Naidu, Kamalammal were marked as Ex.B21 to B23. The decretal order passed in HMOP No.76 of 1991 on the file of Sub Court, Tiruvallur is marked as Ex.B24.

15. Before proceeding in to the merits of the case, the plaintiff contends that he is the son of the 1<sup>st</sup> defendant. The defendants questioned the paternity of the 1<sup>st</sup> defendant. So, it has to be seen whether the plaintiff is the biological son of the 1<sup>st</sup> defendant. The learned counsel for the plaintiff would argue that the Defendants 1 to 5 have denied the paternity of the plaintiff, contending that the plaintiff's mother,

Mrs. Sudha Rani, never lived with the 1st defendant, that the marriage was not consummated, and that the marriage was dissolved by a decree of divorce dated 03.09.1992 in HMOP No.76 of 1991 on the file of the Hon'ble Sub Court, Tiruvallur. The plaintiff denies the said contentions as false and asserts that the 1st defendant is his legitimate father and that he was born during the subsistence of the lawful marriage between his mother and the 1st defendant.

16. The plaintiff claims that he was born on 27.06.1988 during the subsistence of the marriage between his mother and the 1st defendant. The defendants 1 to 5 have denied the paternity and contended that there was no consummation of marriage and that the marriage was dissolved by decree dated 03.09.1992. The plaintiff relies upon the statutory presumption under Section 112 of the Indian Evidence Act and also upon the DNA Test Report marked as Ex.C1.

17. Section 112 of the Indian Evidence Act raises a strong presumption of legitimacy in favour of a child born during the continuance of a valid marriage, unless non-access between the spouses is conclusively proved. Mere allegations of estrangement or matrimonial discord do not constitute proof of non-access. The defendants have not produced any cogent evidence to establish total non-access between the plaintiff's mother and the 1st defendant during the relevant period of conception. The decree of divorce dated 03.09.1992 does not ipso facto disprove paternity of a child born in 1988.

18. Further, Ex.C1 DNA Test Report obtained pursuant to orders of this Court confirms the biological relationship between the plaintiff and the 1st defendant.

Though the defendants contend that the expert was not examined, the report has not been set aside nor has any application been filed seeking a fresh test or re-examination. In the absence of any rebuttal evidence or challenge to Ex.C1, the same carries persuasive evidentiary value. The presumption under Section 112 of the Evidence Act also remains unrebutted. Hence, it is answered to issue No.2, that the plaintiff is the biological son of the 1<sup>st</sup> defendant.

**19. Issue No.4 : Whether the relief of declaration is barred by limitation?**

As far as the issue of limitation is concerned, the learned counsel for the plaintiff would further submit that suit for partition is within limitation. Under Article 110 of the Limitation Act, 1963, limitation runs from the date of ouster or knowledge. The plaintiff has pleaded that he came to know of the alienations only in 2017 and instituted the suit in 2018.

20. The defendants would contend that the relief of declaration sought to invalidate the sale deeds of the year 2002 is barred by limitation, as the suit was instituted only in 2018, after a lapse of about 16 years, whereas the period of limitation for challenging such instruments is three years. The plaintiff has also admitted that he was never in possession of the suit properties and was unaware of their location and extent. Therefore, payment of court fee under Section 37(2) of the Tamil Nadu Court Fees and Suits Valuation Act is improper, and the suit is liable to be dismissed on this ground as well. The plaintiff, having attained majority long prior to the institution of the suit, ought to have sought relief within three years thereof,

and the present suit is barred by limitation and hence this issue is answered against the plaintiff.

**21. Issues No.1, 3, 5 and 6 :-**

Whether the suit properties are ancestral properties in the hands of D1?

Whether the suit properties are available for Partition?

Whether the plaintiff is entitled for the reliefs as prayed for?

To what other relief?

22. The plaintiff examined himself as PW1 and admitted certain facts. So, before proceeding further, the said admissions have to be seen. The admissions of PW1 in his cross examination is as below:-

"என் தாயாரின் பெற்றோர்கள் வீடு சித்தூர் மாவட்டத்தில் உள்ள கிருஷ்ணாபுரம் கிராமத்தில் இருக்கிறது. நான் அந்த கிராமத்தில் தான் பிறந்தேன். எனக்கு தெரிந்தது என் தாயாரும் தந்தையும் பிரிந்து தான் இருக்கிறார்கள்.

வரதட்சணை கொடுமை சம்பந்தமாக சத்தியவேடு நீதிமன்றத்தில் சி.சி. 8/1992 என்ற வழக்கு தாக்கல் செய்தார். அதில் 1ம் பிரதிவாதி விடுதலையாகிவிட்டார் என்று சொன்னால் அந்த வழக்கு முடிவடைந்துவிட்டது. எப்படி முடிந்தது என்று எனக்கு தெரியாது. அவ்வழக்கு நிலுவையில் இருந்தபோது 1ம் பிரதிவாதி விவாகரத்து கேட்டு

என் தாயார் மீது திருவள்ளூர் சார்பு நீதிமன்றத்தில் எச்.எம்.ஓ.பி. 76/1991 என்ற மனுவை தாக்கல் செய்து 03.09.1992 ல் விவாகரத்து பெற்றார். தாவா சொத்துக்கள் 1ம் பிரதிவாதியின் பூர்வீக சொத்துக்கள் என்று எப்படி கூறுகிறேன் என்று கேட்டால் நான் தாக்கல் செய்துள்ள பாகப்பிரிவினை ஆவணத்தின் மூலம் கூறுகிறேன். 1ம் பிரதிவாதியும், அவரது தாயாரும், அவரது தந்தையின் உடன்பிறந்தவர்களும் பாகம் செய்துகொண்டார்கள். பூர்வீக சொத்துக்கள் என்று காட்ட அந்த ஆவணத்தை தவிர வேறு ஆவணத்தை தாக்கல் செய்யவில்லை. 'பி' மற்றும் 'சி' அட்டவணை சொத்துக்கள் அந்த பாக ஆவணத்தில் கண்டுள்ளதா என்று கேட்டால் பாக ஆவணத்தில் சில சொத்துக்கள் தான் இருக்கிறது.

' ஏ ' அட்டவணை சொத்தாக காட்டப்பட்ட சொத்து பிராதின் 'பி' அட்டவணை சொத்தாக காட்டப்பட்டுள்ளது. அந்த சொத்து 1ம் பிரதிவாதிக்கும் அவரது தாயார் கமலம்மாளுக்கும் கூட்டாக ஒதுக்கப்பட்டது. அந்த சொத்தை 1ம் பிரதிவாதியும், கமலம்மாளும் அதே வருடத்தில் தனித்தனியாக பிரித்துக் கொண்டார்கள். கமலம்மாள் உயில் மூலம் 1ம் பிரதிவாதிக்கு கொடுத்த சொத்துக்களையும் இதர சொத்துக்களையும் பிராதின் ' சி ' அட்டவணை சொத்தாக காட்டியிருக்கிறேன்.

பிரதிவாதிகள் 1 முதல் 5 தரப்பில் தாக்கல் செய்யப்பட்ட பதில் வாதுரைக்கு நாங்கள் மறுப்பு வாதுரை தாக்கல் செய்யவில்லை என்றால் சரிதான். வா.த.சா.ஆ 3 பாகப்பிரிவினை பத்திரம் முன்னிலைக்கு முதல் வாதி சுப்பிரமணிக்கு பாப்பா நாயுடு எழுதி கொடுத்த உயிலின் காரணமாக பி அட்டவணை சொத்து ஒதுக்கப்பட்டுள்ளது என்றால் சரிதான்.

தாவா சி அட்டவணை சொத்தில் 1 முதல் 5 ஐட்டங்கள் முதல் பிரதிவாதியின் தாயார் கமலம்மாளுக்கு மேற்படி பாகப்பிரிவினையில் ஒதுக்கப்பட்டது என்றால் சரிதான்.

வா.த.சா.ஆ.3 பாகப்பிரிவினை பத்திரத்தில் சி அட்டவணை சொத்து முதல் பிரதிவாதிக்கு அவரது தாயாருக்கும் ஒதுக்கப்பட்ட சொத்து என்றால் சரிதான். வா.த.சா.ஆ.4 முன்னிலைக்கு முதல் பிரதிவாதியும் அவரது தாயாரும் அந்த சொத்துக்களை பாகம் பிரித்துக்கொண்டார்கள் என்றால் சரிதான். வா.த.சா.ஆ.4 பாகப்பிரிவினை பத்திரம் முன்னிலைக்கு முதல் பிரதிவாதிக்கு வந்த பாகத்தை தாவா பி அட்டவணை சொத்தாக நான் காண்பித்துள்ளேன் என்றால் சரிதான். தாவா சி அட்டவணை சொத்தில் எந்த சொத்துக்கள் பூர்விகமாக கிடைக்கப்பெற்ற சொத்துக்கள் என்று குறிப்பிட்டு நான் சொல்லவில்லை என்றால் சரிதான்.

23. The defendants submit that the suit A, B and C schedule properties have lost the character of ancestral properties and that the plaintiff's claim for partition is misconceived. It is admitted that the properties originally belonged to Pullama Naidu, who died leaving behind his three sons, Kannaiya Naidu, Papa Naidu and Rama Naidu, and that after his death, the three sons orally partitioned the properties and became absolute owners of their respective shares. Papa Naidu's wife predeceased him and he died issueless. Papa Naidu executed a registered Will dated 04.07.1974 (Ex.B2), while in a sound disposing state of mind, bequeathing his share in the joint family properties to the 1st defendant, his brother's son. Papa Naidu died on 04.04.1984 (Ex.B21). Having left no legal heirs, his share became his absolute property, and the bequest under Ex.B2 conferred absolute title on the 1st defendant in respect of the plaint A schedule properties. These facts are categorically recorded in the partition deed dated 04.03.1993 (Ex.A3), entered into among the legal heirs of Kannaiya Naidu and Rama Naidu, wherein it is admitted that Papa Naidu's share devolved upon the 1st defendant under the registered Will and that separate enjoyment and patta were effected. Since the attesting witnesses to Ex.B2 had died, DW4 Srinivasan, son of one of the attestors, proved the signature of his father under Section 69 of the Indian Evidence Act, and the Will stands duly proved under Sections 68 and 69 of the Evidence Act. Consequently, the 1st defendant became the absolute owner of the suit A schedule properties, and the plaintiff cannot claim any share therein.

24. It is undisputed that Kannaiya Naidu, father of the 1st defendant, died on 13.06.1992 (Ex.B22) leaving behind his wife Kamalammal, his son K. Subramani (1st defendant) and his daughter Vasantharani (2nd defendant) as his Class I legal heirs. As per Section 6 of the Hindu Succession Act, 1956 (prior to the 2005 Amendment), read with Sections 8 and 19, when a male Hindu dies leaving behind Class I female heirs, his interest in coparcenary property devolves by intestate succession and not by survivorship. The law has been succinctly laid down by the Hon'ble Supreme Court in **Uttam v. Saubhag Singh (2016 (4) SCC 68)**, wherein it is held that on such devolution under Section 8, the joint family property ceases to be joint family property and is held by the heirs as tenants in common and not as joint tenants. Therefore, the share of Kannaiya Naidu devolved upon Kamalammal, the 1st defendant and the 2nd defendant as tenants in common, and the joint family character stood extinguished.

25. In the partition deed dated 04.03.1993 (Ex.A3), the share of the deceased Kannaiya Naidu was allotted to his legal heirs, namely the 1st defendant and his mother Kamalammal, shown as 'C' schedule therein. Thereafter, under the partition deed dated 22.03.1993 (Ex.A4), the 1st defendant and his mother divided their joint allotment, and the properties allotted to the 1st defendant thereunder constitute the present suit B schedule properties. By virtue of the statutory devolution under Section 8 of the Hindu Succession Act and the subsequent partition, the B schedule properties are the absolute properties of the 1st defendant and have lost any ancestral character; hence, the plaintiff has no right to seek partition thereof.

26. The entire C schedule properties are also not ancestral. Items 6 to 9, 11, 13, 15 to 17, 20 to 27, 29 to 31, 33, 36 to 40, 48 and 49 originally belonged to Mrs. Pottiammal, mother of Kamalammal, who bequeathed the same under Will dated 22.01.1982 (Ex.B3), duly proved through attesting witness DW3 Jayaraman (signature marked as Ex.B26). Item 48 was bequeathed in favour of the 2nd defendant and her husband. Mrs. Kamalammal thereafter bequeathed items 6 to 9, 11, 13, 15 to 17, 20 to 27, 29 to 31, 33, 36 to 40 and 49 in favour of the 1st defendant under Will dated 06.04.1993 (Ex.B4), duly proved through attesting witnesses DW2 and DW3 (signatures marked as Exs.B25 and B27). Items 1 to 5 of the C schedule originally belonged to Kamalammal and were bequeathed by her under Ex.B4 in favour of the 2nd defendant. Items 10, 12, 34, 35 and 41 to 47 originally belonged to Papa Naidu as his self-acquired properties and were settled by him in favour of Kamalammal under Settlement Deed dated 20.09.1966 (Ex.B1). Upon the demise of Kamalammal on 12.05.2001 (Ex.B23), the properties devolved absolutely on the respective legatees and heirs. Thus, none of the suit C schedule properties retained any ancestral character in the hands of the 1st defendant.

27. It is, therefore, established that the A schedule properties devolved on the 1st defendant under Ex.B2 and were reaffirmed under Ex.A3; the B schedule properties devolved on the 1st defendant under Ex.A4; Items 1 to 5 of the C schedule devolved on the 2nd defendant under Ex.B4; Items 6 to 9, 11, 13, 15 to 17, 20 to 27, 29 to 31, 33, 36 to 40 and 49 devolved on the 1st defendant under Ex.B4; Item 48 devolved on the 2nd defendant and her husband under Ex.B3; and Items 10, 12, 34,

35 and 41 to 47 belonged to Kamalammal under Ex.B1 and devolved on Defendants 1 and 2 by intestate succession. The plaintiff has thus misconceived the nature of the properties as ancestral. The 1st defendant, being the absolute owner of the properties allotted to him, was competent to alienate the same, and the sale deeds dated 25.01.2002, 01.02.2002, 06.02.2002, 14.02.2002 and 22.02.2002 executed in favour of Defendants 2 to 4 are valid and binding.

28. It is admitted that the marriage between the 1st defendant and Mrs. Sudharani was dissolved by a decree dated 03.09.1992 in HMOP No.76 of 1991 (Ex.B24). The evidence of DW1 establishes the strained matrimonial relationship and false criminal complaints filed by the plaintiff's mother, which ended in acquittal. The defendants further submit that prior to filing the suit, the plaintiff and his mother attempted to coerce the 1st defendant to part with properties, leading to police complaints and enquiry, and having failed, the present suit has been filed with false averments at the instigation of the plaintiff's mother, with an ulterior motive to harass the 1st defendant.

29. The plaintiff contends that A, B and C schedule properties are ancestral properties and that by birth he acquired a coparcenary right. The defendants contend that the suit properties have lost ancestral character and are the self-acquired properties of the 1st defendant and other defendants by virtue of Will, settlement deeds and succession under the Hindu Succession Act.

**30. A Schedule Properties:-**

The evidence on record shows that the properties forming part of A Schedule originally belonged to Papa Naidu, who executed a registered Will dated 04.07.1974 (Ex.B2) bequeathing his share in favour of the 1st defendant. The Will has been proved in accordance with law by examining DW4, who identified the signature of the attesting witness, in terms of Sections 68 and 69 of the Evidence Act. Papa Naidu died issueless and the bequest took effect.

Property devolving by testamentary succession under a Will does not retain the character of coparcenary property. The Hon'ble Supreme Court in **Uttam v. Saubhag Singh** has categorically held that when property devolves by succession under Section 8 or by testamentary disposition, the joint family character comes to an end and the successor holds the property as absolute owner. Hence, the A Schedule properties are the self-acquired properties of the 1st defendant and not ancestral in nature.

**31. B Schedule Properties:-**

The father of the 1st defendant, Kannaiya Naidu, died in the year 1992 leaving behind Class I heirs namely his wife Kamalammal, son (1st defendant) and daughter (2nd defendant). Consequently, by operation of proviso to Section 6 of the Hindu Succession Act (as it stood prior to 2005) read with Section 8, the coparcenary stood disrupted and the heirs succeeded as tenants-in-common. Thereafter, under the partition deed dated 22.03.1993 (Ex.A4), the properties allotted to the 1st defendant became his separate properties. As per the settled law laid down in **Uttam v.**

**Saubhag Singh**, once succession opens under Section 8, the property loses its joint family character permanently. Therefore, the B Schedule properties are not ancestral.

**32. C Schedule Properties:-**

The C Schedule properties have been traced through:-

- Will of Pottiammal dated 22.01.1982 (Ex.B3),
- Settlement deed of Papa Naidu dated 20.09.1966 (Ex.B1),
- Will of Kamalammal dated 06.04.1993 (Ex.B4).

33. All the above testamentary and settlement documents have been duly proved by examining attesting witnesses DW2 and DW3. Properties devolving by Will or settlement are self-acquired properties in the hands of the beneficiaries. Hence, none of the C Schedule properties can be treated as ancestral in the hands of the 1st defendant or other defendants. Hence, it is answered to Issue No.1 that the suit properties are not ancestral properties.

34. As far as **Issue No.3** is concerned, since the suit properties are held to be self-acquired properties of the 1st defendant and other defendants, the plaintiff does not acquire any right by birth. The plaintiff can claim a share only in the self-acquired properties of his father upon succession and not by way of partition during the lifetime of the father. The plaintiff has failed to establish that any of the suit properties are coparcenary properties available for partition. The alienations made by the 1st defendant are within his absolute rights as owner of self-acquired properties.

**Hence, the suit schedule properties are not available for partition at the instance of the plaintiff and hence the issue no.3 is also answered against the plaintiff.**

35. In view of the answers arrived to the previous issues, the suit has to be decided. On a cumulative consideration of the above legal principles, the position that emerges is:-

(i) the plaintiff's legitimacy stands firmly established by the statutory presumption under Section 112 of the Evidence Act reinforced by unchallenged DNA evidence; (ii) if the suit properties are found to have originated from ancestral property and were allotted to the 1st defendant on partition, the plaintiff acquired a coparcenary right by birth in 1988; (iii) testamentary disposition of an undivided share in ancestral property does not extinguish the ancestral character vis-à-vis the male issue; and (iv) alienations made by the 1st defendant after the birth of the plaintiff, without proof of legal necessity, are liable to be declared non-binding on the plaintiff's share. The ultimate decree therefore hinges upon factual proof of the ancestral character of the suit properties and the absence of legal necessity for alienations.

36. On a cumulative appreciation of the pleadings in the plaint, the written statement of defendants 1 to 5, the oral evidence of PW1 and DW1 to DW5, the documentary evidence Ex.A1 to Ex.A12, Ex.B1 to Ex.B28 and Court Exhibit Ex.C1, and the settled principles of law laid down by the Hon'ble Supreme Court in **Uttam**

**v. Saubhag Singh, Rohit Chauhan v. Surinder Singh AIR 2013 SC 3525, Kale v. Deputy Director of Consolidation AIR 1976 SC 807, Shyam Narayan Prasad v. Krishna Prasad AIR 2018 SUPREME COURT 3152, and Nandlal Wasudeo Badwaik v. Lata Nandlal Badwaik AIR 2014 SUPREME COURT 932**, this Court is of the considered view that the plaintiff has **failed to establish any subsisting coparcenary right or share** in the suit schedule properties.

37. The documentary chain of title and proved Wills (Ex.B2, Ex.B3, Ex.B4) coupled with the partition deeds dated 04.03.1993 and 22.03.1993 clearly establish that the suit A, B and C schedule properties had **lost their ancestral character** and became the **separate/self-acquired properties** of the respective beneficiaries. Once the coparcenary stood disrupted and properties devolved by testamentary succession and partition, no right by birth accrued to the plaintiff.

38. Further, the alienations of the year 2002 stood unchallenged for over 16 years, rendering the declaratory reliefs **barred by limitation**, and the plaintiff's own admissions regarding lack of possession disentitle him to claim joint possession and court-fee benefit. The plea of joint possession is therefore rejected.

39. Further, the suit as framed is vitiated by the vice of partial partition and non-joinder of necessary parties. The plaintiff has selectively included certain items while excluding other properties admittedly flowing from the same source of title and

succession, which is impermissible in a suit for partition. A coparcener or co-sharer seeking partition must bring all joint family/joint properties into the common hotchpotch, failing which the suit is liable to be dismissed as bad for partial partition. Further, persons in whose favour testamentary dispositions and alienations stand proved are necessary parties to any effective and binding adjudication. Non-impleadment or defective impleadment of all co-sharers and interested transferees renders the decree inexecutable and the suit liable to dismissal for non-joinder of necessary parties.

40. Further, the plaintiff, having remained silent for over 16 years after the impugned alienations of 2002, is barred by the doctrines of acquiescence and waiver. The conduct of the plaintiff in not asserting any right during the lifetime of the testatrix and the executants of the documents, and in permitting third-party rights to crystallise, disentitles him to any equitable relief. A party who sleeps over his alleged rights and allows others to alter their position cannot later seek to unsettle settled titles. The discretionary and equitable reliefs of declaration and cancellation stands barred by the plaintiff's acquiescence and laches and hence there is a bar to the suit claim **under Estoppel, Acquiescence and Waiver.**

41. Further, it is settled position of law that each and every registered partition deeds, wills and sale deeds carry a strong presumption of validity and genuineness. The defendants have discharged the statutory burden by proving due execution and

attestation of the Wills through attesting witnesses and secondary modes recognised under the Evidence Act. The plaintiff has failed to rebut these presumptions by cogent evidence of fraud, coercion, undue influence or lack of testamentary capacity. Mere pleading of ancestral character without proof cannot dislodge the legal sanctity attached to registered instruments and hence on this ground also, the claim of the plaintiffs cannot be granted at all. Moreover, even assuming (without admitting) any coparcenary right, alienations made prior to the accrual of such right cannot be invalidated retrospectively. The settled position that a son cannot impeach alienations validly made before his right accrues has been reiterated by the Hon'ble Supreme Court in **Rohit Chauhan v. Surinder Singh**. The plaintiff cannot reopen settled transactions merely on the basis of a later-asserted status, especially when titles have vested and possession has followed.

42. Further, the Wills relied upon by the defendants stand duly proved through attesting witnesses and statutory modes under the Evidence Act. The plaintiff's challenge is a collateral attack without any substantive pleading or proof of suspicious circumstances, lack of testamentary capacity, or vitiating factors. In the absence of such proof, testamentary dispositions cannot be lightly ignored by a civil court in partition proceedings.

43. In the cumulative and holistic appreciation of the pleadings, oral and documentary evidence adduced by both sides, and the settled principles of Hindu

succession and evidence law, this Court finds that the plaintiff has failed to establish any legally enforceable right over the suit A, B and C schedule properties. The evidence on record clearly proves that the suit properties did not retain the character of ancestral or coparcenary properties in the hands of the 1st defendant, as the joint family stood disrupted on the death of Kanniah Naidu in 1992 in view of the presence of Class-I female heirs, whereby succession opened under Section 8 of the Hindu Succession Act and the heirs held the properties as tenants-in-common, as authoritatively declared by the Hon'ble Supreme Court in Uttam v. Saubhag Singh. The partition deeds dated 04.03.1993 and 22.03.1993 further effected complete severance of status and crystallised exclusive title in favour of the 1st defendant in respect of the properties allotted to him. The properties obtained by the 1st defendant and the 2nd defendant under registered Wills and settlement deeds stand proved through attesting witnesses in accordance with Sections 68 and 69 of the Evidence Act, and properties derived by testamentary succession cannot assume the character of ancestral properties in the hands of the legatee. Further, the alienations impugned in the suit having been effected in the year 2002, the challenge raised only in 2018 is hopelessly barred by limitation, and the plaintiff has failed to establish any legally acceptable explanation for the inordinate delay. The plea of joint possession is also disbelieved in view of the plaintiff's categorical admission that he is unaware of the location and extent of the suit properties, rendering the valuation and court-fee improper. The plaintiff's case is thus built on presumptions and surmises, unsupported by legally sustainable evidence, while the defendants have satisfactorily

discharged their burden by proving exclusive title, valid testamentary succession, lawful partitions, and the genuineness of the impugned alienations. Hence, the plaintiff is not entitled to partition, declaration, cancellation of documents or any consequential relief, and the suit, being devoid of merit, barred by limitation, and founded on an erroneous understanding of law and facts, deserves to be dismissed in its entirety with costs and thus the issues are to be answered. Hence, the issues 1, 3, 5 and 6 are also answered against the plaintiff.

**In the result, the suit is dismissed. Considering the nature and circumstances of the case, both parties do bear their own costs.**

Dictated to the Steno-typist, directly typed by her in the computer, corrected and pronounced by me in the open court this the 12<sup>th</sup> day of March 2026.

I-Additional District and Sessions Judge  
Tiruvallur

Plaintiffs side Witnesses:

PW1 - Naveen Kishore – plaintiff

Plaintiffs side Exhibits:-

Ex.A1	03.12.1980	Copy of settlement deed vide Doc No.1516/1980
Ex.A2	03.12.1980	Copy of settlement deed vide Doc No.1517/1980
Ex.A3	04.03.1993	Copy of partition deed vide Doc No.386/1993
Ex.A4	22.03.1993	Copy of partition deed vide Doc No.438/1993
Ex.A5	25.01.2002	Copy of sale deed vide Doc No.91/2002
Ex.A6	01.02.2002	Copy of sale deed vide Doc No.141/2002

Ex.A7	06.02.2002	Copy of sale deed vide Doc No.159/2002
Ex.A8	14.02.2002	Copy of sale deed vide Doc.No.238/2002
Ex.A9	22.02.2002	Copy of sale deed vide Doc No.319/2002
Ex.A10	21.03.2007	Copy of Memorandum of deposit of title deed
Ex.A11	09.03.2016	Copy of Memorandum of deposit of title deed
Ex.A12	----	Genealogy tree

Ex.C1        22.08.2022    Forensic Science DEpartment DNA Test report

Defendant side Witnesses:

DW1 -	K.Subramania Naidu
DW2 -	Chandira Sekar
DW3 -	Jayaraman
DW4 -	K.Srinivasan
DW5 -	Maka Achyuth

Defendant side Exhibits:-

Ex.B1	20.09.1966	Copy of settlement deed infavour of Kamala Ammal
Ex.B2	04.07.1974	Will Deed in favour of Subramaniya Naidu vide Doc No. 11/1974
Ex.B3	22.01.1982	Will Deed infavaour of Kamala Ammal vide Doc No.2/1982
Ex.B4	06.04.1993	Will Deed infavour of Subramaniya Naidu vide Doc No.14/1993
Ex.B5	04.12.2018	Patta in the name of Kamala Ammal in Patta No.2
Ex.B6	04.12.2018	Patta in the name of Vasantharani, in Patta No.159
Ex.B7	04.12.2018	Patta in the name of Subramani, in Patta No.26
Ex.B8	04.12.2018	Patta in the name of P.G.Amarnath in patta No.157
Ex.B9	04.12.2018	Patta in the name of P.G.Siddharth in patta No.158
Ex.B10	27.01.2010	Copy of settlement deed infavour Bhavaniswari
Ex.B11	25.09.2024	Patta in the name of Vasantharani in patta No.245
Ex.B12	25.09.2024	Patta in the name of P.G.Amarnath in patta no.157
Ex.B13	25.09.2024	Encumbrance certificate for the period from 01.01.1975 – 24.09.2024
Ex.B14	25.09.2024	Encumbrance certificate for the period from 01.01.1975 – 24.09.2024 in Sy. No.278/2A
Ex.B15	25.09.2024	Encumbrance certificate for the period from 01.01.1975 – 24.09.2024
Ex.B16	25.09.2024	Encumbrance certificate for the period from 01.01.1975 – 24.09.2024

Ex.B17	25.09.2024	Encumbrance certificate for the period from 01.01.1975 – 24.09.2024
Ex.B18	25.09.2024	Encumbrance certificate for the period from 01.01.1975 – 24.09.2024
Ex.B19	25.09.2024	Encumbrance certificate for the period from 01.01.1975 – 24.09.2024
Ex.B20	05.05.1984	Death certificate of Pottiyammal
Ex.B21	02.06.1992	Death certificate of Pappaiya Naidu
Ex.B22	17.06.1992	Death certificate of Kannaiya Naidu
Ex.B23	16.05.2001	Death certificate of Kamala Ammal
Ex.B24	03.09.1992	Decree in HMOP.No.76/1991
Ex.B25	06.04.1993	DW2 signature marked in Ex.B4 Will
Ex.B26	22.01.1982	DW3 signature marked in Ex.B3 Will
Ex.B27	06.04.1993	DW3 signature marked in Ex.B4 Will
Ex.B28	04.07.1974	DW4 signature marked in Ex.B2 Will

I-Additional District and Sessions Judge  
Tiruvallur