



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 12TH DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE N.SESHASAYEE

C.S.No.791 of 2014
and
O.A.No.331 of 2021

1.G.Uma Devi
Wife of Mr.Gajendran,
No.16/2, Brindavan Colony Gandhi Road,
Choolaimedu-600 094.

2.Revathy Mohan,
Wife of P.Mohan,
No.608, "H" Block,
16th Street, 16th Main Road,
Anna Nagar West,
Chennai-600 040.

..Plaintiffs

-Versus-

1.M.Krishnamurthy Reddiar
2.K.Vijayalakshmi
3.K.Veeraraghavan
4.K.Magesh
Defendants 1 to 4
residing at No.48/62,
Nelson Manickam Road,
Aminjikarai,
Chennai-600 029.

5.Nirmala Sathyanarayanan
No.19/A, Rangabashyam Street,
West Saidapet,
Chennai-600 015.



6.Kalavathi Sethuraman,
No.48/62,
Nelson Manickam Road,
Aminjikarai,
Chennai-600 029.

.Defendants

Civil Suit praying that this Hon'ble Court be pleased to pass a judgment and decree against the Defendants:

a) that the properties, land, building and premises described in Schedules hereunder be divided by metes and bounds and 1/6th share be allotted to each of the Plaintiffs in schedule-A property and 1/7th share be allotted to each of the Plaintiffs in Schedule-B & C properties.

b) consequently, that the Defendants be directed to render true and proper account of the income earned through the properties, current businesses and properties purchased thereof from and out of the assets of late Muthukrihna Reddiar and give 1/7th share thereof to the Plaintiffs;

c) permanent injunction restraining the Defendants 1 to 4, their agents and servants, any person and every person claiming though or under them in any manner alienating the suit properties in the schedule hereunder.

d)that an Advocate Commissioner be appointed to divide the immovable properties morefully described in the Schedule hereunder by metes and bounds and deliver separate possession of 1/6th share to each of the Plaintiffs in Schedule-A property and 1/7th share to each of the Plaintiffs in Schedule-B & C properties.

e)that the costs of the suit

O.A.331 of 2021:

Kalavathi Sethuraman,
No.48/62, Nelson Manickam Road,
Aminjikarai,
Chennai-600 029.

..Applicant/6th Defendant



3

Vs

WEB COPY

1.G.Uma Devi
W/o. Mr.Gajendran,
No.16/2, Brindavan Colony Gandhi Road,
Choolaimedu-600 094.

2.Revathy,
W/o. P.Mohan,
No.608, "H" Block,
16th Street, 16th Main Road,
Anna Nagar West,
Chennai-600 040.

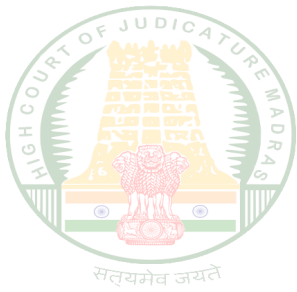
..Respondents/Plaintiffs

3.M.Krishnamurthy Reddiar
4.K.Vijayalakshmi
5.K.Veeraraghavan
6.K.Magesh
Respondents 3 to 6
residing at No.48/62,
Nelson Manickam Road,
Aminjikarai,
Chennai-600 029.

7.Nirmala Sathyanarayanan
No.19/A, Rangabashyam Street,
West Saidapet,
Chennai-600 015.

..Respondents/Defendants

This Original application praying that this Hon'ble Court be pleased to grant an order of interim injunction restraining the respondents 4 & 5 herein, their agents and servants from interfering with my peaceful possession, use, occupation and enjoyment of the property at Old Door No.62 of New Door No.48, Nelson Manickam Road, Aminjikarai, Chennai-600 029 that is suit item -1 property.



WEB COPY This Civil Suit along with Original Application coming on this day

before this court for hearing, the court made the following order:

In this case, the plaintiffs have taken out applications in A.No.766 of 2019 to reopen the plaintiffs evidence, and A.No.767 of 2019 to recall the plaintiffs witness, and that came to be dismissed on 18.02.2019, against which the plaintiffs have preferred O.S.A.No.98 of 2019 and O.S.A.No.99 of 2019, and both these appeals came to be allowed on 10.03.2020, on condition that the plaintiffs/appellants in O.S.As pay the contesting defendants a cost of Rs.10,000/- within a stipulated time. Since the cost amount was not tendered to the defendants in time, the learned counsel for the defendants did not accept it. Hence, the plaintiffs have taken out an application before the Division Bench to permit them to deposit the said cost amount in the Court. According to the counsel for the plaintiffs, if that application is allowed by the Division Bench, then the matter may have to go for continuation of the trial.

2. In the meantime, the counsel for the defendants 3 and 4 submitted that the copy of the application in O.A.No.331 of 2021, which was filed by the sixth defendant seeking an injunction restraining the defendants 3 & 4 from interfering with the peaceful possession and occupation of the suit schedule item No.1, has not yet been served on him.



WEB COPY Post the matter on 30.11.2021.

Sd/.NSSJ
12.11.2021

//Certified to be true copy//
Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

JJ 18/11/2021