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S.A.No.527 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.07.2025

CORAM

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

S.A.No.527 of 2025

Mallappa (Died)

1. Janakiamma

2. Bhadramma

...Appellants

Vs.

1. Kempanna

2. Rukmaniamma

3. Rajanna

4. Nethra

5. Ravi

6. Manju

7. Dinesh

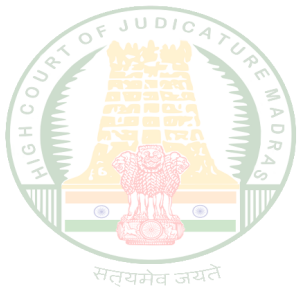
8. Baghya

9. Bharathi (Minors)

Minors duly represented by their natural guardian father Kempanna

...Respondents

Prayer: This Second Appeal is filed under Section 100 of Civil Procedure Code, 1908, to set aside the decree and judgment made in A.S.No.43 of 2022 dated 26.02.2025 on the file of the Additional District Judge at Hosur confirming the decree and judgment passed in O.S.No.72 of 2005 dated 23.01.2020 on the file of the Additional Subordinate Judge, Hosur and allow this appeal.



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For Appellants : Mr.P.Subba Reddy

ORDER

Heard the learned counsel for the appellant.

2. This Second Appeal is admitted to consider the following substantial questions of law:-

i. Whether both the courts erred in declining the suit for specific performance when there was clear admission on the part of the respondents/defendants on execution of agreement and receipt of substantial amount as part performance is valid?

ii. Whether the courts below failed to consider the conduct of the appellant/plaintiff when the appellant/plaintiff had shown his readiness and willingness from the date of agreement to get it realized is correct or not?

3. Issue notice to the respondents, returnable by 22.08.2025.

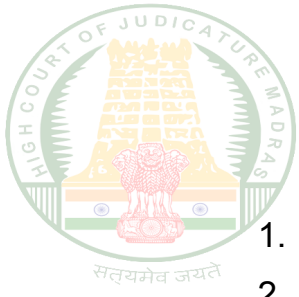
4. List the matter on 22.08.2025.

25.07.2025

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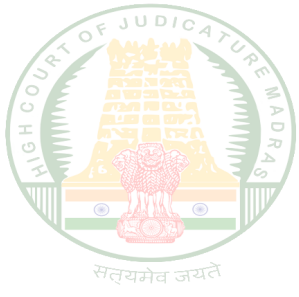


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S.A.No.527 of 2025

1. The Additional District Court, Hosur
2. The Additional Subordinate Court, Hosur



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R. KALAIMATHI, J.

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