

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4185 OF 2004

MOHANARANGAM

APPELLANT

VERSUS

VANAJAKSHI (DEAD) & ORS.

RESPONDENTS

O R D E R

The plaintiffs are in appeal, being aggrieved by the judgment and decree dated September 24, 2002 passed by the High Court of judicature of Madras affirming the judgment and decree dated August 17, 1983 passed by the Sub-Court, Chengalpattu, whereby their suit for partition came to be dismissed.

Both the Courts - the High Court and the Trial Court - concurrently held that Ellammal was not the second wife of Rangaswamy Mudaliar.

In view of this concurrent finding, the contention of the learned counsel for the appellant that Tholasinga Mudaliar was the son of Rangaswamy Mudaliar must fail and plaintiffs cannot be held to be members of the Joint Hindu Undivided Family.

The judgment of the High Court is concluded on facts warranting no interference by us.

Accordingly, the appeal, by special leave, under Article 136 of the Constitution of India is, dismissed with no order as to costs.

.....J.
(R.M. LODHA)

.....J.
(SURINDER SINGH NIJJAR)

NEW DELHI;
APRIL 20, 2011.
ITEM NO.103

COURT NO.14

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 4185 OF 2004

MOHANARANGAM

Appellant (s)

VERSUS

VANAJAKSHI (DEAD) & ORS.

Respondent(s)

(With office report)

Date: 20/04/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Appellant(s) Mr. V. Prabhakar, Adv.
 Mr. Ramjee Prasad, Adv.
 For Mr. R.Chandrachud,Adv.

For Respondent(s) Mr. Jayanth Muth Raj, Adv.
 For Mr. T.N. Rao, Adv.

 Mr. S. Rajappa,Adv. (Not present)

UPON hearing counsel the Court made the following
 O R D E R

 The appeal is dismissed in terms of the
signed order.

(Neetu Khajuria)
Sr.P.A.

(S.S.R. Krishna)
Court Master

(Signed order is placed on the file.)