

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1032 OF 2014
(Arising out of SLP(C) No.16604/2010)

R.VENUGOPAL (D) THROUGH LRS. & ANR. Appellant(s)

VERSUS

VENKATARAMAN @ MURALI @ RAJA & ORS. Respondent(s)

O R D E R

Leave granted.

Heard Mrs. Hema Sampath, learned senior counsel in support of this appeal and Mrs. Mahalakshmi Pavani, learned counsel appearing for the respondents. Having gone through the records of this appeal and the impugned judgment, what we find is that the finding rendered by the High Court in paragraph 28 of the impugned judgment, namely that the Usufructory Gift Deed dated 25.4.1934 was executed before the Notary and that had a force of a decree as per the the French law applicable to Pondicherry at the relevnt time, is a correct finding. That being so, the order in paragraph 54 remitting the matter back to the Executing Court and asking the parties to go to the District Munsif, Pondicherry and reopening the matter was not called for. Accordingly, the operating order in paragraph 54 of the judgment is set aside and the appeal is allowed to this extent.

(H.L. GOKHALE)

.....J

.....J
(DIPAK MISRA)

New Delhi;
January 24, 2014.

ITEM NO.204

COURT NO.10

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).16604/2010

(From the judgement and order dated 14/12/2007 in CRP No.730/2004 of the
HIGH COURT OF JUDICATURE AT MADRAS)

R.VENUGOPAL (D) THROUGH LRS. & ANR.

Petitioner(s)

VERSUS

VENKATARAMAN @ MURALI @ RAJA & ORS.

Respondent(s)

(With appln(s) for permission to place addl. documents on record and with
prayer for interim relief and office report)
(FOR FINAL DISPOSAL)

Date: 24/01/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. GOKHALE
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Mrs. Hema Sampath, Sr. Adv.
Mr. R. Anand Padmanabhan, Adv.
Ms. Amritha Sarayoo, Adv.
Mr. Pramod Dayal, Adv.

For Respondent(s) Ms. Mahalakshmi Pavani, Adv.
Mr. G. Balaji, Adv.
for M/S. Mahalakshmi Balaji & Co., Adv.
Mr. Shashi Bhushan Kumar, Adv. (N.P.)

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

Leave granted.
Heard the learned counsel for the parties.

-2-

The operating order in paragraph 54 of the judgment is set

aside and the appeal is allowed to the extent indicated in the signed order.

(A.S. BISHT)
A.R.-CUM-P.S.

(SNEH LATA SHARMA)
COURT MASTER

(Signed order is placed on the file)