

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NOS.2951-2952 OF 2011

ST.ANTHONY CHURCH . . . . .APPELLANT  
VERSUS  
P.INDIRAMMA . . . . .RESPONDENT

O R D E R

Heard learned counsel appearing for the parties and perused the record.

No one can confer a better title than he himself has.

Indisputably, the appellant claims right, title and interest in respect of the property bequeathed to it by M. Joseph measuring 53361 sq. ft. of Survey No.19. The appellant's case is that although the area of 1 acre 9 guntas i.e. 53361 sq. ft., was bequeathed by M. Joseph but in fact the appellant-Church is in possession of 4500 sq. ft. of the land. If that be so, in a suit for mere injunction that was filed by the appellant, a decree for declaration of title and possession cannot be granted.

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Sanjay Kumar  
Date: 2015.03.20  
16:57:29 IST  
Reason:

Besides the above, the High Court reappreciated the evidence adduced by both the parties and recorded a finding of fact.

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Hence, we are not inclined to interfere with the finding of fact recorded by the High Court.

Accordingly, these appeals are dismissed.

