

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO(S) 452-453 OF 2011

THIAGARAJAN & ORS. ...APPELLANT(S)

VERSUS

N. JAYALAKSHMI & ORS. ...RESPONDENT(S)

ORDER

1. Delay in filing application for substitution of deceased respondent No.7 is condoned.
2. Application for substitution of deceased respondent No.7 is allowed subject to all just exceptions.
3. Having heard the learned counsels for the parties we are of the view that the High Court was perfectly justified in passing the impugned decree to the extent of one-fourth share of the suit property in favour of the respondent-N.Jayalakshmi and in

issuing the directions insofar as the remainder of the property is concerned to be apportioned at the stage of the final decree proceedings between the legal heirs of M. Ganapathy which includes the plaintiff(s) and the unimpleaded daughters of M. Ganapathy. We will, therefore, have no occasion to interfere with the order passed by the High Court. The appeals are accordingly dismissed.

....., J.
(RANJAN GOGOI)

....., J.
(MOHAN M. SHANTANAGOUDAR)

NEW DELHI
MARCH 22, 2018

ITEM NO.105

COURT NO.3

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NO(S). 452-453/2011

THIAGARAJAN & ORS.

APPELLANT(S)

VERSUS

N.JAYALAKSHMI & ORS.

RESPONDENT(S)

(AND IA NO.17699/2018-APPLICATION FOR SUBSTITUTION AND IA
NO.17702/2018-CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.)

Date : 22-03-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Appellant(s)

Mr. P. R. Kovilan, Adv.
Mrs. Geetha Kovilan, AOR
Mr./Ms. Aswathi, Adv.

For Respondent(s)

Ms. Prachi Bajpai, AOR
Mr. Santosh Kumar Tripathi, AOR
Mr. Anzu. K. Varkey, AOR
Mr. V.N. Subramaniam, Adv.

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

The appeals are dismissed in terms of the signed
order.

[VINOD LAKHINA]

AR-cum-PS

[ASHA SONI]

BRANCH OFFICER

[SIGNED ORDER IS PLACED ON THE FILE]