

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

Petition(s) for Special Leave to Appeal (Civil) No(s).554-555/2010

(From the judgement and order dated 10/09/2009 in
& SA No.528/2000 of The HIGH COURT OF MADRAS)

SA No. 527/2000

RAMAN & ANR.

Petitioner(s)

VERSUS

PAPAYEE AMMAL & ANR.

Respondent(s)

(With appln(s) for exemption from filing O.T. and
with prayer for interim relief)

Date: 15/01/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. S. Nanda Kumar, Adv.
 Mr. Jaimon Andrews, Adv.(N.P.)
 Mr. V.N. Raghupathy, Adv.(N.P.)

For Respondent(s)

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

These petitions are directed against the judgment of the learned Single Judge of Madras High Court, Madurai Bench whereby he dismissed the second appeals filed by the appellants against the judgments and decrees of the Lower Appellate Court which, in turn, confirmed the judgments and decrees passed by the Trial Court in O.S. No.982/1987 and O.S. No.1014/1987. The first of the two suits was filed by the respondents for permanent injunction against the appellants herein and the second suit was filed by the appellants for declaration of title and permanent injunction. The Trial Court decreed the suit filed by the respondents and dismissed the one filed by the appellants by observing that they have failed to prove that the respondents have encroached their property.

The Lower Appellate Court independently evaluated the pleadings and evidence of the parties and agreed with the findings and conclusions recorded by the Trial Court.

We have heard learned counsel for the petitioners. In our opinion, the impugned judgment does not suffer from any legal infirmity warranting interference under Article 136 of the Constitution of India.

The Special Leave Petitions are dismissed.

(A.D. Sharma)
Court Master

(Om Parkash)
Court Master