
(1993) 2 MLJ 676

Madras High Court

Case No: None

Perumal Muthuraja

APPELLANT

Vs

Mookka Gounder and
Another

RESPONDENT

Date of Decision: Oct. 5, 1993

Citation: (1993) 2 MLJ 676

Hon'ble Judges: Ratnam, J

Bench: Division Bench

Judgement

@JUDGMENTTAG-ORDER

Ratnam, J.

Even in para 5 of the written statement filed by the petitioner, a reference has been made to the omission to include three items

of land, two houses and a gold chain. These items, according to the petitioner were allotted to the share of the 1st plaintiff and the 2nd plaintiff was

content with the gold chain. The vendor of the petitioner, had been allotted the four items of properties mentioned in the suit and that had been

purchased by the petitioner. In the event of the court ultimately coming to the conclusion that the partition of the year 1971, is not established, it

becomes necessary for the parties to pool together all the available properties for partition and work out their rights therein and in that view, the

inclusion of the six items of properties appended to the petition in I.A. No. 351 of 1992 becomes necessary and they are accordingly directed to

be included as part of the suit properties with reference to which also, the rights of parties have to be adjudicated upon. The civil revision petition

is, therefore, allowed. There will be no order as to costs.