

ITEM NO.4 Court 11 (Video Conferencing) 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 (C) No(s). 18064-18065/2021

(Arising out of impugned final judgment and order dated 24-03-2021 in AS No. 291/2015 24-03-2021 in AS No. 292/2015 passed by the High Court Of Judicature At Madras)

K. KUPPAMMAL Petitioner(s)

VERSUS

E. KANCHANA (D) REPRESENTED THROUGH LRS & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.143554/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.143555/2021-EXEMPTION FROM FILING AFFIDAVIT)

Date : 13-11-2021 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Mr. Neeraj Kumar Jain, Sr. Adv.
Mr. Aditya Kumar Choudhary, Adv.
Mr. Gurmehar Vaan Singh, Adv.
Mr. Vaibhav Prasad Deo, Adv.
Mr. Rajesh Singh Chauhan, AOR

For Respondent(s)

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

The learned senior counsel appearing for the petitioner contends that by virtue of a Compromise Decree dated 06.03.1975 [Annexure P1], the plaintiff in Civil Suit No. 8981 of 2010 was declared owner of superstructure whereas the defendant in the said suit i.e. the predecessor in interest of the petitioner was declared the owner of the land over which the superstructure were raised by him. Therefore, the relationship between the predecessor

in interest of the petitioner and the defendant will continue to be that of landlord and the tenant in respect of the land in question and the Plaintiff cannot claim ownership in respect of such land.

Issue notice.

There shall be stay of execution of the decree in the meantime.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU BALA GAMBHIR)
COURT MASTER