

Raghu Gowdo Vs. Gowdo Chandro Naiko

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SooperKanoon Citation : sooperkanoon.com/776055

Court : Chennai

Decided On : Apr-22-1896

Reported in : (1897)7MLJ243

Appellant : Raghu Gowdo

Respondent : Gowdo Chandro Naiko

Judgement :

1. We cannot agree with the view taken by the District Judge to the effect that registration is conclusive.
2. The judgment cited I.L.R. 15 M. 484 by him does not support that position. It appears from the judgment of the Deputy Collector that the appellant had given muchilikas to, and accepted puttahs from, Jagannadha for prior faslies, and even for this very fasli for which puttah is now demanded. This being so, it being clear that the appellant having attorned to another landlord who is not and could not properly be made a party to this suit, the suit must fail.
3. Of course, it is open to the plaintiff, if so advised, to bring a regular suit against Jagannadha to declare his title.
4. We must allow the appeal and restore the judgment of the Deputy Collector with costs in this and in the Lower Appellate Court.

