

Vasudevan and ors. Vs. Sankaran and ors.

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SooperKanoon Citation : sooperkanoon.com/782083

Court : Chennai

Decided On : Jan-27-1897

Reported in : (1897)ILR20Mad129

Judge : Arthur J.H. Collins, C.J.,; Shephard,; Subramania Ayyar,; and Davies, JJ.

Appellant : Vasudevan and ors.

Respondent : Sankaran and ors.

Judgement :

Shephard and Subramania Ayyar, JJ.

1. It is said on the appellants behalf that there was a prior judgment in their favour, of which they might have availed themselves if they had known that the view of the law now taken would be maintained. But this prior judgment was not pleaded, though it was open to the appellants to put it forward.

2. On the facts as found by the District Judge, we must hold that he was right in dismissing the suit, and therefore the appeal is dismissed, but without costs.