

Puttanna and anr. Vs. Korapolu Alias Bhagi Ammal and ors.

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SooperKanoon Citation : sooperkanoon.com/799767

Court : Chennai

Decided On : Sep-10-1908

Reported in : 2Ind.Cas.617

Judge : Munro and ;Abdur Rahim, JJ.

Appellant : Puttanna and anr.

Respondent : Korapolu Alias Bhagi Ammal and ors.

Judgement :

1. We are of opinion that the plaintiff has no charge upon the property for her maintenance. The sale-deed creates no such charge. It is the seller and not the plaintiff who would have a charge upon the property for any unpaid purchase money. What the plaintiff relies upon is merely a covenant by the vendee with the vendor to pay the plaintiff a certain quantity of rice annually. Such a covenant would not give rise to a charge Vide Webb v. Macpherson 31 C.h 57. We, therefore, allow the appeal and dismiss the plaintiff's suit with costs throughout.