

**Dasari Chellamma Vs. M. Chellaya**

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**SooperKanoon Citation :** [sooperkanoon.com/806831](http://sooperkanoon.com/806831)

**Court :** Chennai

**Decided On :** Nov-01-1909

**Reported in :** 5Ind.Cas.756a

**Judge :** Ralph Benson, Offg. C.J. and ;Krishnaswamy Aiyar, J.

**Appellant :** Dasari Chellamma

**Respondent :** M. Chellaya

**Judgement :**

1. We think the respondent's plea of res judicata must be upheld.
2. The former suit O.S. No. 198 of 1903 brought for the same relief on the same cause of action against the defendant was dismissed, it may be erroneously under Section 43 of the Civil Procedure Code (Act XIV of 1882). The plaintiff cannot sue the defendant again on the same cause of action. The object-matter being the same, the claim is res judicata. The second appeal is dismissed with costs.