

In Re: Srinivasa Aiyangar

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SooperKanoon Citation : sooperkanoon.com/811515

Court : Chennai

Decided On : Jan-19-1912

Reported in : 14Ind.Cas.681

Judge : Sundara Aiyar, J.

Appellant : In Re: Srinivasa Aiyangar

Judgement :

Sundara Aiyar, J.

1. I see no ground for interference in this case. The Kararnama, Exhibit B, does not constitute the 1st defendant the agent of defendants Nos. 3 and 4 so as to make them liable for all debts contracted by him. It provides that the family remain a joint one, and the brothers of Sreeni-vasa Iyengar agree to be liable to all debts contracted by Sreenivasa Iyenger on auspicious occasions in the family. This does not improve the position of Sreenivasa Iyenger beyond what it would be under the Law as the managing member of a family. The onus was on the plaintiff to prove that the debt was contracted under circumstances which would bind the other members of the family. The lower Courts hold that he did not succeed in proving it. On this finding, the suit was rightly dismissed. I dismiss the petition.