

(1910) 04 MAD CK 0054
In the Madras High Court

Gandrapu Sinayya

APPELLANT

Vs

Koppineni Venkataratnam and Others

RESPONDENT

Date of Decision : 01-04-1910

Acts Referred:

Citation : 6 Ind. Cas. 701

Hon'ble Judges : Ralph Benson, J; Krishnasami Aiyar, J

Bench : Division Bench

Judgement

1. The commencement of Abbanna's tenancy is found and also payment of rent for a number of years by him and successors. The District Judge has not found occupancy right. The tenancy must be presumed to be one from year to year. The plaintiff alleges due notice to quit. Far from denying it in the written statement, the defendant admits notice. In Venkatacharlu v. Kondappa 15 MA. 95, notice to quit was not found. The plaintiff is entitled to eject. We reverse the decree of the District Judge and restore that of the Munsif with costs here and in the lower appellate Court.