
(1904) 04 MAD CK 0003
In the Madras High Court

Venkata Dikshatulu and Others

APPELLANT

Vs

Gavaramma and Others

RESPONDENT

Date of Decision : 20-04-1904

Acts Referred:

Citation : (1904) 14 MLJ 308

Judgement

1. As regards the alienations under Exhibit J. we agree with the Subordinate Judge that it is not an alienation binding upon the reversioner. We

cannot accept the suggestion that the grant of the Inam title deed to the 1st defendant, the widow, constituted the property her absolute property.

The Inam was taken by inheritance by the 1st defendant as the widow of the previous holder. Though there has been some difference of opinion as

to the effect of the enfranchisement of service Inams, there never has been any doubt that enfranchisement or grant of title deed in respect of

personal Inams in any way affects the right of parties entitled thereto. This was laid down so far back as 1865 in *Cherukuri Venieanna v.*

Manthravathi Lahshmi Narayana Bastrulu 2 M.H.C.R. 327. The law as laid down there was adopted by the legislature itself in Madras Act VIII of

1869. The case in *Subba Naidu v. Nagayya* 12 M.L.J.R. 89; S.C.I.L.R. 25 M. 424.-- Ed. to which our attention has been drawn it inconsistent

with our view cannot be held to be of any binding authority considering that it is opposed to *Cherukuri Venhanna v. Manthravathi Lahshmi*

Narayana Sastrulu 2 M.H.C.R. 327 which it does not notice and to the terms of the enactment referred to above.

2. We must, therefore, accept the findings and reversing the decree of the Subordinate Judge pass a decree in terms of the prayer of the plaint with

costs throughout inclusive of the costs incurred on the findings.