

Gingupalli Sreehari Rao

Vs

Nallamothu Venkatarayudu and Others

SLP (C) No. 6049 of 1984

(CJI Ranganath Misra, Kuldip Singh JJ)

29.10.1991

ORDER

1. Mr. K. R. Chaudhuri had filed this petition against the judgment given by the Andhra Pradesh High Court in second appeal. Mr. Chaudhuri expired some time in 1986 and the Registry, therefore, attempted to give notice to the petitioner of the fact of his counsel having died and called upon him to engage a new counsel. Reasonable attempt was made by the Registry to serve the petitioner but service has not been effected as the alternate address was not found of the place where the petitioner was living. We are satisfied that the Registry has tried its best to meet the situation.

2. The facts of the case are somewhat peculiar. Petitioner had executed a registered deed of settlement in favour of the plaintiffs who are his son-in-law and daughter respectively. The document is of March 31, 1961. He instituted a suit for the cancellation of the settlement deed and the recovery of the property which had been given as a marriage gift to the daughter and her husband by pleading that the document was contrary to public policy and since dowry was not to be given and the settlement was in lieu of dowry, the same should be cancelled as contrary to public policy and decree should be passed for return of the property. Petitioner has lost in all the three courts. We do not think there is any substance in the matter which would require us to make a further attempt to issue notice to the petitioner to be heard.

3. We dismiss the petition on merit.

Courts Masters

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