

Suit for Injunction – Co-sharer – Possession of one co-sharer is possession of all co-sharers, it cannot be adverse to them, unless there is a denial of their right to their knowledge by the person in possession, and exclusion and ouster following thereon for the statutory period

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[SC] Suit for Injunction - <u>co-sharer</u> - Possession of one co-sharer is possession of all co-sharers, it cannot be adverse to them, unless there is a denial of their right to their knowledge by the person in possession, and exclusion and ouster following thereon for the statutory period - Appellants (defendant Nos.1 and 20 being the purchasers of the suit property from one of the co-sharers stepped into the shoes of their vendor (co-sharer) and, therefore, had a right to defend their <u>title</u> and possession against the other co-sharer - Plaintiffs had no case to claim <u>injunction</u> against defendant Nos.1 and 2 in relation to the suit property

Specific Relief Act (47 of 1963) , S.38. SRA S. 38

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Tags: Co-owner, Co-sharer, SRA S. 38, Suit - Injunction