



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

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CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

SA No. 148 of 2026

1. Thangavel (Died) 1.Rajambal
W/o. Thangavel (Late),
Res. at Kurinjipadi Village and Post,
Kunnam Taluk,
Perambalur District.
2. Dhanam
D/o. Thangavel (Late),
Res. at Kurinjipadi Village and Post,
Kunnam Taluk,
Perambalur District.
3. Anjalai
D/o. Thangavel (Late),
Res. at Kurinjipadi Village and Post,
Kunnam Taluk,
Perambalur District.
4. T. Ramachandran
S/o. Thangavel (Late),
Res. at Kurinjipadi Village and Post,
Kunnam Taluk,
Perambalur District.
5. T. Manivannan
S/o. Thangavel (Late),
Res. at Kurinjipadi Village and Post,
Kunnam Taluk,
Perambalur District.
6. T. Mahendran
S/o. Thangavel (Late),
Res. at Kurinjipadi Village and Post,



Kunnam Taluk,
Perambalur District.

7. T. Raja
S/o. Thangavel (Late),
Res. at Kurinjiyadi Village and Post,
Kunnam Taluk,
Perambalur District.

..Appellant(s)

Vs

1. Subramaniyan
S/o. Arumugam,
Res. at Kurinjiyadi Village and Post,
Kunnam Taluk,
Perambalur District.

2. Anandan
S/o. Thangavel (Late),
Res. at Kurinjiyadi Village and Post,
Kunnam Taluk,
Perambalur District.
(One of the LR of the Defendant, hence no
relief prayed and notice may be dispensed with)

..Respondent(s)

Prayer : Second Appeal filed under section 100 of Code of Civil Procedure to set aside the judgement and decree in AS.No.10 of 2013 dated 31.01.2025 on the file of Sub-Judge, Perambalur, reversing the judgement and decree passed in OS.No.338 of 2004 dated 28-02-2013, on the file of the Dist.Munsif, Perambalur.

For Appellant(s):

Mr.S.Kamadevan



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ORDER

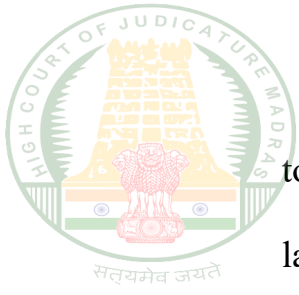
Challenging the reversal finding of the first appellate Court, the defendants have filed the present Second Appeal.

2. Heard the learned counsel appearing for the appellants and perused entire materials available on record.

3. This Second Appeal is admitted on the following substantial questions of law :

1. Whether the lower appellate Court is justified in holding that the vendor of the plaintiff got valid title and possession of the suit property in the absence of any sub-divisions and specific boundaries fixed under Ex.A.2, where the said survey number is having larger extent and without any identity?

2. Whether the lower appellate Court is justified in holding that the delivery of possession recorded in Ex.A.2 is the suit property is valid in law and shifting the onus on the defendant



to disprove the same which is against the settled principles of law, as it is always the plaintiff has to prove his case and the Court should not fall upon the evidence of the defendant?

4. Notice to the respondents returnable by 16.04.2026. Private notice is also permitted.

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T.V.THAMILSELVI, J.

VRC

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