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S.A.Nos.290 and 291 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

S.A.Nos.290 and 291 of 2023

S.A.No.290 of 2023:

1.Periyanayaga Mary

2.Lurthu Mary

3.Mariyanandam

4.Anthony Joseph

... Appellants

vs.

1.Savurimuthu

2.Arokyadoss

3.Alexander

4.Juliya

... Respondents

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure, to set aside the Judgment and Decree dated 22.12.2020 passed in A.S.No.66 of 2019 on the file of III Additional District cum Sessions Judge, Cuddalore at Virudhachalam, confirming the Judgment and Decree dated 28.03.2017, passed in O.S.No.155 of 2006 on the file of the Principal District Munsif, Virudhachalam.



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S.A.Nos.290 and 291 of 2023

For Appellants : Mr.J.Antony Jesus

For R1 to R3 : Mr.S.P.Hari Krishnan

S.A.No.291 of 2023:

Anthony Joseph

... Appellant

vs.

1.Savurimuthu

2.The Tahsildar
Virudhachalam

3.The Revenue Divisional Officer
Virudhachalam

4.The District Collector
Cuddalore

5.Arokyadoss

6.Alexander

7.Juliya Mary

... Respondents

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure, to set aside the Judgment and Decree dated 22.12.2020 passed in A.S.No.31 of 2020 on the file of III Additional District and Sessions Judge, Cuddalore at Virudhachalam, confirming the Judgment and Decree dated 28.03.2017, passed in O.S.No.94 of 2007 on the file of the Principal District Munsif, Virudhachalam.



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S.A.Nos.290 and 291 of 2023

For Appellant : Mr.J.Antony Jesus

For R1, R5 & R6 : Mr.S.P.Hari Krishnan

COMMON ORDER

The Second Appeals are admitted on the following substantial questions of law:-

“(i) Whether the Courts below erred in law in decreeing the Suit in O.S.No.155 of 2006 in favour of the respondents, legal heirs of the original Plaintiff-Alphones Mary, while her five sisters who are admittedly her Co-shares who according to her were entitled to the suit property, were not impleaded as Parties to the Suit?

(ii) Whether the Courts below erred in law in decreeing the suit filed by the respondents’ mother Alphones Mary, while their case is that the suit property belongs to Selva Mary, mother of six daughters including Alphones Mary?

(iii) Whether the Courts below erred in law in relying upon the boundaries stated in the Sale Deed dated 12.07.1974 in Ex.X1 and Sale Deed dated 10.01.2000 in Ex.A5 for holding that the respondents were entitled to the Suit Property, while the respondents did not produce any documents of titles to prove their title?”



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2. Mr.S.P.Hari Krishnan, learned counsel takes notice for the respondents 1 to 3 in S.A.No.290 of 2023 and respondents 1, 5 and 6 in S.A.No.291 of 2023.

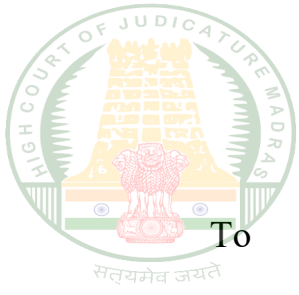
3. Notice to the unserved respondents, returnable by six weeks.

4. List these matters after six weeks.

5. The Registry is directed to call for the records from the Courts below, in the meantime.

20.04.2026

dm



S.A.Nos.290 and 291 of 2023

To

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- 1.The III Additional District cum Sessions Judge,
Cuddalore at Virudhachalam.
- 2.The Principal District Munsif,
Virudhachalam.
- 3.The Tahsildar
Virudhachalam.
- 4.The Revenue Divisional Officer
Virudhachalam.
- 5.The District Collector
Cuddalore.



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S.SOUNTHAR, J.

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