



S.A.Nos.343 & 344 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2026

CORAM:

THE HONOURABLE MR. JUSTICE P.DHANABAL

S.A.Nos.343 & 344 of 2012

S.P.Balasubramania Gounder (Died),
S/o. Late Palani Gounder,
Door No.1/20, Singanallur,
Akilandapuram Post,
Pollachi Taluk.

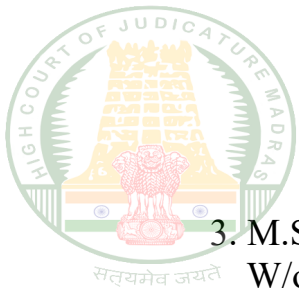
A2. B.Santhamuthukumarasamy,
S/o. Late S.P.Balasubramania Gounder,
Singanallur, Pollachi.
(A1 Died, A2 is brought on recorded
is LR of the deceased A1 vide Court
Order dated 18.12.2020 made in
CMP.Nos.20684, 20685 & 20687 of 2019
in S.A.No.343 of 2012 & CMP.Nos.20693,20696
and 20697 of 2019 in SA.No.344 of 2012)

... Appellants

Vs.

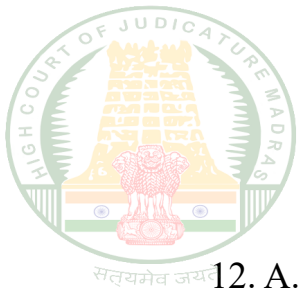
1. Rathinammal @ Rathinambal (Died)
W/o. Kandasamy Gounder,
Door No.1/21, Singanallur,
Akilandapuram Post,
Pollachi Taluk.

2. R.Manohari (Died),
W/o. Ramakrishnan,
Door No.1/21, Akilandapuram Post,
Pollachi Taluk.



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3. M.Sasikala,
W/o. Muthukumar,
Mathigoundanpathi,
Coimbatore District.
4. R.Renukadevi,
W/o. R.A.Kanagamani,
Shanmugagounder Thottam,
Puttuvikki, Sundakkamuthur Post,
Coimbatore District.
5. Arumugha Gounder, (Died)
S/o. Subbae Gounder, Singanallur,
Akilandapuram Post, Pollachi Taluk
6. Mylsamy,
S/o Palaniappa Gounder,
Singanallur, Akilandapuram Post,
Pollachi Taluk.
7. Kandiammal
W/o Palani Gounder,
Singanallur,
Akilandapuram Post, Pollachi Taluk.
8. V.Umashankar
S/o Venkatasubramaniam,
D.No.143, Market Road,
Gokul And Company, Pollachi.
9. V.Ram Kumar
S/o Venkatasubramaniam,
D.No.143, Market Road,
Gokul And Company, Pollachi.
10. The Tahsildar,
Pollachi, Taluk Office Compus,
Coimbatore Road, Pollachi.
11. A. Palaniammal (died)
W/o. Late Arumugha Gounder



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12. A. Senthilkumar
S/o. Late Arumugha Gounder

13. Selvathal
D/o. Late Arumugha Gounder

14. Muthulakshmi
D/O. Late Arumugha Gounder
Respondents 11 to 14 are residing at No.4/135,
Vinayagar Koil Street, Akilandapuram Post,
Pollachi Taluk.

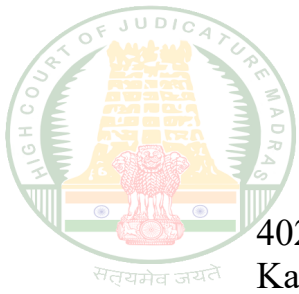
R5 died, RR11 to 14 are brought on record
as LR's of the deceased R5 *vide* Court order
dated 18.12.2023 made in
CMP Nos.15121,12122 & 15123/2017
20684,20685 & 20687 of 2019 in
S.A.No.343 of 2012

R11 died, RR12 to 14 already on record
are recorded as Legal Representatives
of the deceased R11 *vide* Court order
dated 03.06.2025 made in
SA.Nos.343 & 344 of 2012 and
M.P.No.1 of 2013 and M.P.No.1/2015
in SA.No.343 of 2012 and M.P.No.1/2015
in SA.No.344 of 2012

15. M Ramkrishnan
No.402, Arti Apartments,
Kambar Street, Mahalingapuram,
Pollachi-642 002.

16. P Subashini
W/o. Pillai Thambi,10/854-A,
Pudhucolony, Valparai Main Road,
Angalakurichi, Pollachi Taluk.

17. Arunkumar
S/o. Ramkrishnan,
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402, Arti apartment,
Kambar Street, Mahalingapuram,
Pollachi-642 002 .

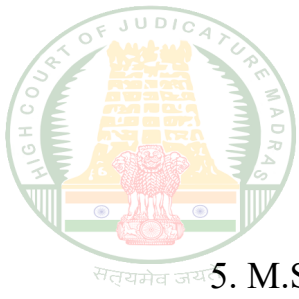
R2 died, RR15 to 17 are brought on record
as LR's of the deceased R2 *vide* Court order
dated 20/01/2025 made in CMP.Nos.12476,12481
and 12477 of 2024 in SA.No.343 of 2012

18. Rangaraj S/o Kandasamy Gounder,
No.1/2021, Singanallur,
Akilandapuram Post,
Pollachi, Coimbatore.

R18 is brought on record as LR of the deceased
R1 Memo recorded *vide* Court order dated
31/10/2025 made in M.P.No.1 of 2015 in
SA.No.343 of 2012.

... Respondents in
SA.No.343 of 2012

1. V.Umashankar
S/o Venkatasubramaniam,
D.No.143, Market Road,
Gokul And Company, Pollachi.
2. V.Ram Kumar
S/o Venkatasubramaniam,
D.No.143, Market Road,
Gokul And Company, Pollachi.
3. Rathinammal @ Rathinambal (Died)
W/o. Kandasamy Gounder,
Door No.1/21, Singanallur,
Akilandapuram Post,
Pollachi Taluk.
4. R.Manohari (Died),
W/o. Ramakrishnan,
Door No.1/21, Akilandapuram Post,
Pollachi Taluk.



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5. M.Sasikala,
W/o. Muthukumar,
Mathigoundanpathi,
Coimbatore District.
6. R.Renukadevi,
W/o. R.A.Kanagamani,
Shanmugagounder Thottam,
Puttuvikki, Sundakkamuthur Post,
Coimbatore District.
7. Arumugha Gounder, (Died)
S/o. Subbae Gounder, Singanallur,
Akilandapuram Post, Pollachi Taluk
8. Mylsamy,
S/o Palaniappa Gounder,
Singanallur, Akilandapuram Post,
Pollachi Taluk.
9. Kandiammal
W/o Palani Gounder,
Singanallur,
Akilandapuram Post, Pollachi Taluk.
10. The Tahsildar,
Pollachi, Taluk Office Compus,
Coimbatore Road, Pollachi.
11. A. Palaniammal (died)
W/o. Late Arumugha Gounder
12. A. Senthilkumar
S/o. Late Arumugha Gounder
13. Selvathal
D/o. Late Arumugha Gounder
14. Muthulakshmi
D/O. Late Arumugha Gounder



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Respondents 11 to 14 are residing at No.4/135,
Vinayagar Koil Street, Akilandapuram Post,
Pollachi Taluk.

R7 died, RR11 to 14 are brought on record
as LR's of the deceased R5 *vide* Court order
dated 18.12.2023 made in
CMP Nos.15124 to 15126/2017
in S.A.No.344 of 2012

R11 died, RR12 to 14 already on record
are recorded as Legal Representatives
of the deceased R11 *vide* Court order
dated 03.06.2025 made in
SA.Nos.343 & 344 of 2012 and
M.P.No.1 of 2013 and M.P.No.1/2015
in SA.No.343 of 2012 and M.P.No.1/2015
in SA.No.344 of 2012

15. M Ramkrishnan
No.402, Arti Apartments,
Kambar Street, Mahalingapuram,
Pollachi-642 002.

16. P Subashini
W/o. Pillai Thambi,10/854-A,
Pudhucolony, Valparai Main Road,
Angalakurichi, Pollachi Taluk.

17. Arunkumar
S/o. Ramkrishnan,
402, Arti apartment,
Kambar Street, Mahalingapuram,
Pollachi-642 002 .

R4 died, RR15 to 17 are brought on record
as LR's of the deceased R4 *vide* Court order
dated 20/01/2025 made in CMP.Nos.12483 to
12485 of 2024 in SA.No.344 of 2012

18. Rangaraj S/o Kandasamy Gounder,
No.1/2021, Singanallur,

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Akilandapuram Post,
Pollachi, Coimbatore.

R18 is brought on record as LR of the deceased
R3. Memo recorded *vide* Court order dated
31/10/2025 made in M.P.No.1 of 2015 in
SA.No.344 of 2012.

... Respondents in
SA.No.344 of 2012

COMMON PRAYER: Second Appeals are filed under Section 100 of Civil Procedure Code, praying to set aside the Judgment and Decree dated 18.10.2011 passed by the learned Subordinate Judge of Pollachi in A.S.Nos.10 & 26 of 2011 reversing the Judgment and Decree dated 03.09.2010 passed by the learned District Munsif of Pollachi in O.S.No.714 of 2004.

For Appellants : Mr.S.Parthasarathy
Senior Counsel

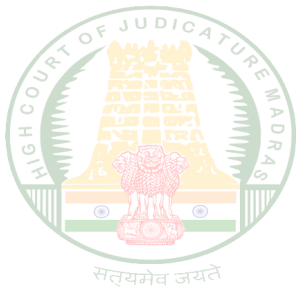
For Respondents : Ms.S.Akila for R15 to R17
: Mr.Siddarth Sridhar for
Mr.R.Bharath Kumar for R8 & R9

COMMON ORDER

Heard the appellant's side.

2. These Second Appeals are admitted on the following substantial questions law:-

“(i) Whether the Lower Appellate Court erred in misconstruing the Ex.A-2 Decree by holding that Marimuthammal had pre-existing right on the properties and the said right would be enlarged in to absolute one?”



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(ii) Whether the Lower Appellate Court erred in holding that the Settlement Deed Ex.A-4 and the Will Ex.B-3 are valid under law by Misconstruction of Documents Ex.A-2 and Ex.A-5?

(iii) Whether the Lower Appellate Court erred in misinterpreting the Section 14 (2) of Hindu Succession Act with regard to restrictive rights?"

3. Registry is directed to call for the records from the learned Sub Judge, Pollachi and the learned District Munsif, Pollachi.

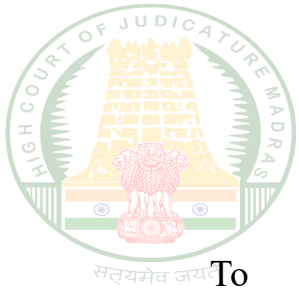
4. List on 08.09.2026.

27.08.2026

dh

Index: Yes/No

Internet: Yes/No

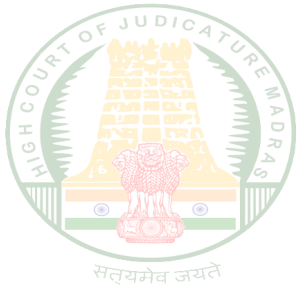


S.A.Nos.343 & 344 of 2012

To

1. The Sub Court,
Pollachi.

2. The District Munsif,
Pollachi.



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P.DHANABAL. J.

dh

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