



WEB COPY

SA Nos. 298 & 299 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2026

CORAM

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

SA No. 298 of 2021 & SA NO. 299 OF 2021

AND

CMP NO. 21982 OF 2024

1. Karuppusamy Gounder
S/o. Avinashi Gounder,
Kuttaikattu Thottam, Komarapalayam,
Olalakoil Village, Gobichettipalayam Tk, Eorde
Dist,

Vaiyapuri Gounder (died)
2. Saraswati
W/o. Late Vaiyapuri Gounder,
Kuttaikattu Thottam, Komarapalayam,
Komarapalayam, Olalakoil Village,
Gobichettipalayam Tk,
Erode Dist
3. Gowri
W/o. Duraisamy,
Karumarapalayam, Tiruppur Town And Tk
4. Shanmugam
S/o. Late Vaiyapuri Gounder,
Piduthi, Bangalore, Karnataka State, Now At,
Kuttaikattu Thottam, Komarapalayam ,
Olalakoil Village, Gobichettipalyam Tk, Erode
Dist

..Appellant(s)

Vs



Marakkal (died)

Palaniammal,
W/o. Ponnusamy,
Malaiyapalayam, Olalakoil Village,
Gobichettipalayam Tk, Eorde Dist

..Respondent(s)

SA No. 299 of 2021

1. Karuppusamy Gounder
S/o. Avinashi Gounder,
Kuttaikattu Thottam, Komarapalayam,
Olalakoil Village, Gobichettipalayam Tk, Eorde
Dist,

Vaiyapuri Gounder (died)

2. Saraswati
W/o. Late Vaiyapuri Gounder,
Kuttaikattu Thottam, Komarapalayam,
Olalakoil Village, Gobichettipalayam Tk, Erode
Dist

3. Shanmugam
S/o. Late Vaiyapuri Gounder,
Kuttaikattu Thottam, Komarapalayam ,
Olalakoil Village, Gobichettipalayam Tk, Erode
Dist

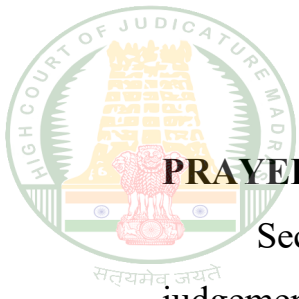
4. Gowri
W/o. Duraisamy, (R.K.Exports),
Uthukuli Road, Karumarapalayam, Tiruppur
Town And Tk, Tiruppur District

..Appellant(s)

Vs

Palaniammal
W/o Ponnusamy, Malaiyapalayam, Olalakoil
Village, Gobichettipalayam Tk, Erode District

..Respondent(s)

**PRAYER IN SA No. 298 of 2021**

Second Appeal filed under Sec.100 of C.P.C., praying to set aside the judgement and decree dt 15/09/2020 made in AS .No.19/2019 on the file of the Learned Sub court Gobichettipalayam, reversing the judgement and decree dt 20/11/2018 made in OS No.488/2004 on the file of the learned District Munsif court Gobichettipalayam by allowing this SA.

PRAYER IN SA No. 299 of 2021

Second Appeal filed under Sec.100 of C.P.C., praying to set aside the judgment and decree dt. 15/09/2020 made in AS No. 18/2019 on the file of the learned Subordinate Court, Gobichettipalayam reversing the Judgment and decree dt. 20/11/2018 made in OS No. 146/2005 on the file of the learned District Munsif Court, Gobichettipalayam by allowing this SA.

In both SAs

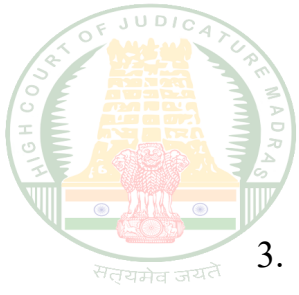
For Appellant(s): Mr.E.V.Chandru @ E.Chandrasekaran
for Mr.V.Anandhamoorthy

For Respondent(s): Mr.P.R.Balasubramanian

COMMON JUDGMENT

Today, when the matters were taken up for hearing, the learned counsel for appellants submitted that already both the parties have arrived settlement and to record the settlement, the property is to be measured, for which the appellants have taken steps to measure the property with the help of Surveyor, but the respondent is not inclined to co-operate with the proceedings.

2.The learned counsel for respondent also appeared and submitted that he would give proper instructions to the respondent.



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3. Considering both side submissions, the property is directed to be measured with the help of Surveyor in the presence of both parties and the respondent is directed to co-operate to measure the property, since the date is fixed to measure the property on 11.04.2026.

4. Post the matters for submission of report on 20.04.2026.

07-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

RPP

N.B. : Issue the order copy on 08.04.2026

To

1. The Subordinate Judge, Gobichettipalayam.
2. The District Munsif, Gobichettipalayam.
3. The Section Officer, VR Section, Madras High Court.



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T.V.THAMILSELVI J.

RPP

**SA No. 298 of 2021 &
SA NO. 299 OF 2021
AND
CMP NO. 21982 OF 2024**

07-04-2026