



SA No. 298 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

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CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

SA No. 298 of 2021

AND

CMP NO. 21982 OF 2024,SA NO. 299 OF 2021

1. Karuppusamy Gounder
S/o. Avinashi Gounder, Kuttaikattu
Thottam, Komarapalayam, Olalakoil
Village, Gobichettipalayam Tk, Eorde
Dist, Vaiyapuri Gounder, Died. and 3
Others

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, Gobichettipalayam Tk,
Erode Dist

Appellant(s)

Vs

1. 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, Gobichettipalyam Tk,
Erode Dist

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

Appellant(s)

Vs

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

Respondent(s)

SA No. 298 of 2021

PRAYER

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 Dist Munsif court Gobichettipalayam by allowing this SA.



SA No. 299 of 2021

PRAYER

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 before this Honble Court with costs throughout.

SA No. 298 of 2021

For Appellant(s): Mr.E.Chandrasekaran For
Mr.V.Anandhamoorth

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

ORDER

The learned counsel for the petitioner submits that despite giving an assurance before this Court, the respondent is not cooperating in measuring the property with the assistance of a surveyor. Having given an assurance before this Court, the conduct of the respondent is condemnable. Accordingly, the petitioner is directed to take immediate steps to measure the property with the help of a surveyor and submit a report before this Court. The respondent shall assist the surveyor during the survey process and submit the report before this Court by **24.06.2026**.

2. The suit has been pending since the year 2004 and the matter cannot be delayed further.

3. Post the matter on 24.06.2026 'for orders'.

18-06-2026

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T.V.THAMILSELVI J.

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

18-06-2026