



S.A.No.260 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 09.04.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

S.A.No.260 of 2026
and C.M.P.No.8647 of 2026

1.D.Chittibabu

2.C.Sulochana

... Appellants

VS.

1.D.Balasundaram

2.The Sub Registrar,
Kundrathur, Chennai – 600 069.

3.The Tahsildar,
Maduravoyal Division, Thiruvallur District,
Chennai – 600 095.

4.The Chief Surveyor,
Porur Sub Division, Tahsildar Office,
Maduravoyal, Chennai – 600 095.

... Respondents

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure, to allow the appeal by setting aside Judgment and Decree in A.S.No.25 of 2024 dated 26.09.2025 on the file of the learned Subordinate Judge at Poonamallee confirming the Judgment and Decree in O.S.No.121 of 2017 dated 04.03.2024 on the file of Principal District Munsif, Poonamallee.



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For Appellants : Mr.M.V.Seshachari

For R1 : Mr.V.Balakrishnan

For R2 to R4 : Mr.M.Murali
Government Advocate

ORDER

The Second Appeal is admitted on the following substantial questions of law:-

“(a) Whether the decree passed by the Courts below granting injunction in favour of the plaintiff is sustainable in law when plaintiff failed to produce any document to establish his possession?”

“(b) Whether the decree for injunction granted by the Courts below without any finding with regard to the possession of the plaintiff is sustainable in law?”

2. Mr.V.Balakrishnan, learned counsel takes notice for the 1st respondent and Mr.M.Murali, learned Government Advocate takes notice for the respondents 2 to 4.



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3. The Registry is directed to call for the records from the Court below.

4. List the matter after four weeks for filing counter affidavit by the respondents.

09.04.2026

dm

To

- 1.The Subordinate Judge,
Poonamallee.
- 2.The Principal District Munsif,
Poonamallee.
- 3.The Sub Registrar,
Kundrathur, Chennai – 600 069.
- 4.The Tahsildar,
Maduravoyal Division, Thiruvallur District,
Chennai – 600 095.
- 5.The Chief Surveyor,
Porur Sub Division, Tahsildar Office,
Maduravoyal, Chennai – 600 095.



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S.SOUNTHAR, J.

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