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S.A.No.514 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23-07-2025**

CORAM

THE HONOURABLE MRS JUSTICE R.KALAIMATHI

SA NO.514 of 2025

and CMP.No.17274 of 2025

1. C.R.Kandhasamy

2.N.Devaraj

... Appellants

Vs.

K.R.Saminathan(Deceased)

Santhamani

.. Respondent

Prayer : This Second Appeal is filed under Section 100 of Code of Civil Procedure to set aside the decree and the Judgment dated 12.11.2024 passed in A.S.No.75 of 2019 on the file of the First Additional Subordinate Court, Coimbatore reversing the decree and the Judgment dated 25.03.2019 passed in O.S.No.61 of 2010 on the file of the Second Additional District Munsif Court, Coimbatore.

For Appellants : Mr.V.Venkatasamy

For Respondent : Mr.N.Krishnakumar

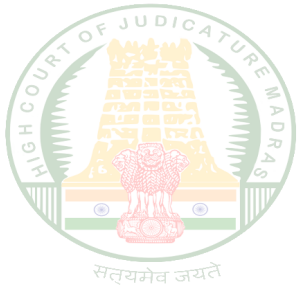
for M/s.Sarvabhauman Assoc.

ORDER

Heard the learned counsel for the appellants.

2. The Second Appeal is admitted to consider the following substantial questions of law:-

- i) Whether the Lower Appellate Court is correct in law in dismissing the suit on the grounds that the plaintiffs did not seek a declaratory relief of title regarding the suit cart track, despite the plaintiffs seeking relief for permanent injunction in respect of the suit cart track?



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R.KALAIMATHI,J.

Kkd

ii) Is not the Judgment of the Lower Appellate Court based on perverse findings that are contrary to the recitals in the sale deeds Ex.A1 and Ex.A2 and the evidence on record, liable to be set aside?

3. There shall be an order of status-quo for a period of three weeks.

List the matter after three weeks.

23.07.2025

kkd

To

1.The First Additional Subordinate Court, Coimbatore.

2.The Second Additional District Munsif Court, Coimbatore.

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