



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

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CORAM

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

SA No. 38 of 2026

1. Periyathambi,
S/o.Ammasi Gounder,
residing at No.42/4,
Kumarasami New Line House,
Naththakkadu,
Vediyarasanpalaiyam,
Agraharam Post,
Pallipalaam,
Erode -638 008.
2. Mani
S/o.Ammasi Gounder,
residing at No.42/4,
Kumarasami New Line House,
Naththakkadu,
Vediyarasanpalaiyam,
Agraharam Post,
Pallipalaam,
Erode -638 008.
3. Aarumugam alias Kaasi,
S/o.Ammami Gounder,
B12/2209,



P.P.Nagarajan Line House,
Lakshmipuram,
Near Jeeva Shed,
Tiruchengode Road,
Pallipalayam,
Erode -638 006.

4. Kandasami

S/o.Ammani Gounder,
P75/2709,
Chinna Paiyan Line House,
Lakshmipuram,
Near Jeeva Shed,
Tiruchengodu Road,
Pallipalayam,
Erode -638 006.

..Appellant(s)

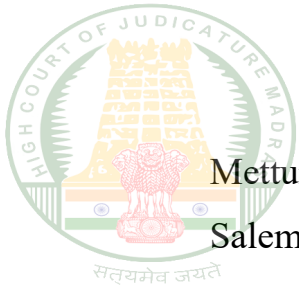
Vs

1. Selvaraj,

S/o.Periyathambi,
residing at Nagan Valavu,
Karikkapatti Village,
Mettur Taluk,
Salem District.

2. Mani,

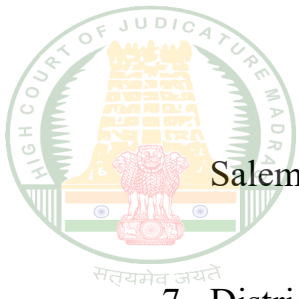
S/o.Periyathambi,
residing at Nagan Valavu,
Karikkapatti Village,



Mettur Taluk,
Salem District.

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3. Aiyyavu,
S/o.Aiyyam Perumal,
residing at Nagan Valavu,
Karikkapatti Village,
Mettur Taluk,
Salem District.
4. Sakthivel,
S/o.Aiyyavu,
residing at Nagan Valavu,
Karikkapatti Village,
Mettur Taluk,
Salem District..
5. Sathish,
S/o.Aiyyavu,
residing at Nagan Valavu,
Karikkapatti Village,
Mettur Taluk,
Salem District.
6. Sangeetha,
S/o.Aiyyavu,
residing at Nagan Valavu,
Karikkapatti Village,
Mettur Taluk,



Salem District.

7. District Collector,
District Collector Office,
Salem.

8. Tahsildar,
Mettur Dam.

9. Village Administration Officer,
Karikkapatti Village,
Theramangalam Post,
Mettur Taluk,
Salem District.

10. Sekar,
S/o. Periyathambi,
Residing at Nagan Valavu,
Karikkapatti Village,
Mettur Taluk,
Salem District.

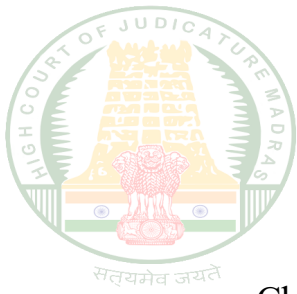
..Respondent(s)

For Appellant(s):

Mr.B.Ravi

For Respondent(s):

No appearance



ORDER

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Challenging the reversal finding of the first appellate Court, the present second appeal has been filed by the defendant.

2. The Second Appeal is admitted based on the following substantial questions of law :

1. Whether in law is the lower appellate court is right in granting a decree in favour of plaintiffs then they have no right or interest in the properties during the lifetime of their father, D1?

2. When the plaintiffs have no right or interest, they are not necessary parties to the partition deed dated 07.01.2009 and consequently, they cannot question the cancellation deed/partition deed?

3. Notice.

4. Post the matter on 17.03.2026.

22-01-2026

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T.V.THAMILSELVI, J.

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