



SA No. 855 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**SA No. 855 of 2025
and CMP.No.32984 of 2025**

1. Kumeresh Kanna

2. Charulatha

Appellant(s)

Vs

Meenakshi (Deceased)

1.The President

Tamil Nadu Association of the Blind,
36, Rettaikuzhi Street, Tondiyarpet,
Chennai - 600 081.

2.The Sub Registrar

Royapuram, Chennai.

3.The Commissioner of Corporation

Rippon Building, Chennai.

4.The Assistant Engineer

Chennai Corporation,
Zone -1, Ward 7, Tondiyarpet.

5.The Junior Engineer

Tamil Nadu Electricity Board,
R.K.Nagar, Chennai - 600 021.

6.The Chairman

Chennai Metropolitan Water Supply
Sewerage Board,
No.1, Pumping Station,
Chintadripet, Chennai - 600 002.

Respondent(s)



For Appellant(s): Mrs.Srimathi V.

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ORDER

Challenging the concurrent findings of the Court below, the plaintiffs have preferred this appeal.

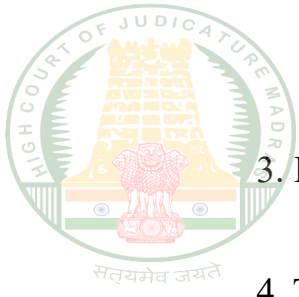
2. This Court admits the second appeal on the following substantial questions of law:

“a) Whether the courts below are right in not framing an issue regarding the validity of the alleged Gift Deed under Ex. A-1 as contemplated under Order XIV of Code of Civil Procedure, 1908?

b) Whether the courts below are right in not considering the fact that the endorsement made by parties is as per the Order XXIII Rule 3 of CPC, clearly states that the compromise in writing and signed by the parties, the court shall order such compromise to be recorded and shall pass a decree in accordance?

c) Whether the Appellate Court is right in concluding that the suit filed by the Plaintiffs is barred by limitation, when the Plaintiffs never accepted the validity of the gift deed and when they continue in possession of the property, the issue of Limitation does not arise at all?

d) Whether the courts below are right in concluding that the appellants are in unlawful owners of the suit property, when the court had rendered a finding the gift deed was executed only for the superstructure and not for the plot?”



3. Issue notice to the respondents, returnable by 26.02.2026.

4. Till then, the decree passed by the Court below is ordered to be stayed.

5. Post the second appeal on 26.02.2026.

23-01-2026

pvs

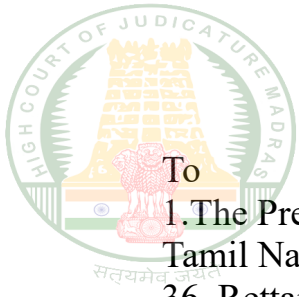
Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

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T.V.THAMILSELVI J.
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