



SA No. 129 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

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CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

SA No. 129 of 2026

1. Siraj Baig (deceased) 1.Rahma Baig
W/o.Siraj Baig, No.384, Mission St,
Periya melamaiyur, Vallam Post,
Chengalpattu. and 5 Others

2. Aarif Baig
S/o.Siraj Baig, No.384, Mission St,
Periya Melamaiyur, Vallam Post,
Chengalpattu.

3. Amsath Baig
S/o.Siraj Baig, No.384, Mission St,
Periya Melamaiyur, Vallam Post,
Chengalpattu.

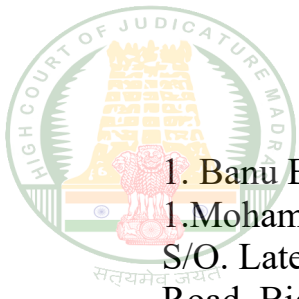
4. Rukshana
D/o.Siraj Baig, NO.384, Mission St,
Periya Melamaiyur, Vallam Post,
Chengalpattu.

5. GowherJahan
W/o.Thamim Ansari, NO.9, Kaveri
Nagar, Near BDO Office, Minjur 601
203

6. Amina
W/o.Ansari, No.360 Thirukalukundram
Road, Periya Melamaiyur, Vallam Post,
Chengalpattu.

Appellant(s)

Vs



1. Banu Begum (Deceased)

1. Mohammed Baig

S/O. Late Adam Baig, No.360/1, TKM
Road, Big Melamaiyur, Vallam Post,
Chengalpattu Taluk. Jabber Baig
(deceased).

2. Jaleel Baig

S/o. Late Adam Baig, No.360/1, TKM
Road, Big Melamalyur, Vallam post,
Chengalpattu Tk.

3. Shah Alam Baig

S/o. Late Adam Baig, No.360/1, TKM
Road, Big Melamalyur, Vallam post,
Chengalpattu Tk.

4. Gulzar Begum

D/o. Late Adam Baig, No.360/1, TKM
Road, Big Melamalyur, Vallam post,
Chengalpattu Tk.

5. Hariffa Begum

D/o. Late Adam Baig, No.360/1, TKM
Road, Big Melamalyur, Vallam post,
Chengalpattu Tk.

6. Gaffar Baig

S/o. Rahiman Galg, NO.10,
Thilagavathy 1st St, Gengai Nagar
Extension, Kallikuppam, Ambattur,
Chennai 53

7. Salim Baig

S/o. Late Sikkandar Baig, No.172/1,
Thirukazhukundram Road, Big
Melamaiyur, Vallam Post,
Chengalpattu.

8. Ansari Baig

S/o. Late Sikkandar Baig, No.172/1,
Thirukazhukundram Road, Big
Melamaiyur, Vallam Post,
Chengalpattu.



9. Shahidha Begum
W/o. Reyas Ahamed, D/o. Late
Sikkandar Baig, No.5, Jaffar St,
Chengalpattu 2.

10. Malliga Begum
D/o. Late Sikkandar Baig, NO.172/1,
Thirukazhukundram Road, Big
Melamaiyur, Vallam Post,
Chengalpattu.

11. Fathima Begum
W/o. Late Mohammed Ibrahim, No.16,
Thiruvalluvar St, Nandavanamettur,
Avadi, Chennai 71.

12. Rehana Begum
W/o. Abdus Salam, No.8/2, Gandhi St,
Nandavanmettur, Avadi, Chennai 71

13. Lakshmi
W/o. Ravichandran, Old No. 20, New
No.39, Gandeepan Vedhachalam St,
Chengalpattu Town and Tk

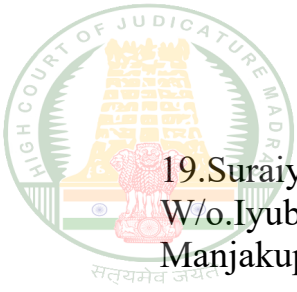
14. Perumalsamy
S/o. Appavao Reddiar, No.7,
Nookalamman Koil St, Uthiramerur
603 406

15. Sabera Bee
W/o. Jabbar Baig, No.21, Pudhu Thaikal
St, Manjakuppam, Cuddalur Dist.

16. Humayun
S/o. Jabbar Balg, No.21, Pudhu Thaikal
St, Manjakuppam, Cuddalur NT.

17. Rizvan Baig
S/o. Jabbar Baig, No.21, Pudhu Thaikal
St, Manjakuppam, Cuddalur NT.

18. Almaz
W/o. Nawab, No.21, Pudhu Thaikal St,
Manjakuppam, Cuddalur NT.



19.Suraiya Parveen
W/o.Iyub, No.21, Pudhu Thaikal St,
Manjakuppam, Cuddalur NT.

20.Saheena Parveen
W/o.Sulthan, No.10/11, Jabbar St,
Chengalpattu

21.Farzana Parveen
W/o.Subhan, NO.21, Pudhu Thaikal St,
Manjakuppam, Cuddalur NT.

Respondent(s)

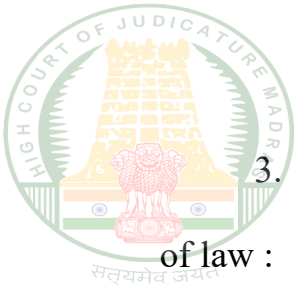
PRAYER : Second Appeal filed under section 100 of Code of Civil Procedure to set aside the Decree and Judgment dated 22.04.2025 passed by the learned Principal District Judge, Chengalpet made in A.S. No. 32 of 2013 and to restore the Judgment and Decree passed by the Trial Court in O.S. No. 92 of 2004 dated 29.04.2012 on the file of Additional Sub Court at Chengalpet by allowing this Second Appeal.

For Appellant(s): Mr.R. Manickavel

ORDER

Challenging the reversal finding of the first appellate Court, this Second Appeal has been preferred by the plaintiffs.

2. Heard the learned counsel appearing for the appellants and perused entire materials available on record.



3. This Second Appeal is admitted on the following substantial questions

of law :

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1] Whether the first appellate Court was right in relying upon the settlement deed [Ex.B.9] received and marked only in the appeal and allowing the appeal mainly on the Settlement Deed [Ex.B.9.]?

2] Whether the first appellate Court was right in admitting Ex.B.9 in the appeal without any pleadings or evidence in the trial Court and admitting Ex.B.9 in appeal without any pleadings which is contrary to the law laid down by the Honourable Supreme Court in 2024 INSC 165?

4. Notice to the respondents returnable by 10.04.2026. Private notice is also permitted.

17-02-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

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T.V.THAMILSELVI, J.

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