



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.12.2025

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Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

S.A.No.267 of 2019

1.Mr.K.Madhavaramanujam (Died)

2.M.Suresh

3.M.Rani

4.V.Rekha

(Sole Appellant died. Appellants 2 to 4 are brought on record as legal representatives of the deceased sole Appellant vide Order dated 25.08.2025 made in C.M.P.Nos.20063, 20066 and 20067 of 2025 in S.A.No.267 of 2019)

...Appellants

Versus

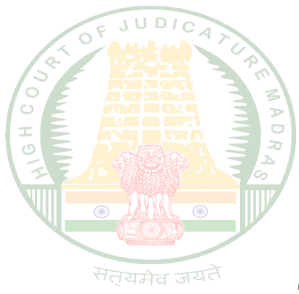
Mrs.Rajeswari

...Respondent

Prayer: This Second Appeal is filed under Section 100 of Civil Procedure Code praying to set aside the Judgment and Decree passed in A.S.No.114 of 2012 on the file of the Principal District Judge, Ariyalur dated 15.03.2014 confirming the Judgment and Decree passed in O.S.No.484 of 2004 on the file of the District Munsif Court, Ariyalur dated 24.07.2009.

For Appellants : Mr.R.Gokulakrishnan

For Respondent : Mr.M.V.Venkateshan



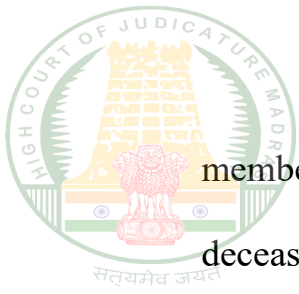
ORDER

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The learned counsel on both sides are present.

2. The learned counsel for appellants/defendants submitted that the respondent/plaintiff had filed a suit in O.S.No.484 of 2004 before the Additional District Munsif Court, Ariyalur for recovery of possession and to pay the damages. The Trial Court vide Judgment dated 24.07.2009, decreed the suit for recovery of possession and directed the deceased 1st appellant/defendant to vacate the suit property within a period of 3 months and dismissed the suit for *mesne* profit. Aggrieved by the said judgment of Trial Court, deceased 1st appellant/defendant had filed an Appeal Suit in A.S.No.114 of 2012. However, the Appeal Suit filed by the deceased 1st appellant/defendant was dismissed by 1st Appellate Court vide Judgment dated 15.03.2014. Challenging the concurrent findings of Courts below, deceased 1st appellant/defendant has preferred the present Second Appeal before this Court.

2.1. It is further submitted by the learned counsel for appellants/defendants that the suit property is a joint family property and the deceased 1st appellant/defendant was residing in the suit property as a



member of the joint family since 1990 which was also proved by the deceased 1st appellant/defendant through Ex.B7 & Ex.X2 before the Trial Court. However, without considering all these aspects, the 1st Appellate Court has confirmed the findings of the Trial Court.

3. As far as this case is concerned, this Court is of the opinion that there is no question of law much less a substantial question of law arises in the present Second Appeal.

4. The learned counsel for appellants/defendants is directed to get instructions with regard to vacating the suit property and handing over the vacant possession of suit property to respondent/plaintiff.

5. List the case on 17.12.2025.

15.12.2025

mrr

Index : Yes/No

To

1.Principal District Judge,
Ariyalur.

2.District Munsif Court,
Ariyalur.

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T.V.THAMILSELVI, J.

mrr

S.A.No.267 of 2019

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