

SA(MD). No.223 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 30/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P.B. BALAJI

SA(MD). No.223 of 2026

1. R. Pushparani,
2. M.Vinibert Fernando

... Appellants

Vs

1. Dencil Kuthelan
2. A.Karpagam Elizabeth

.. Respondents

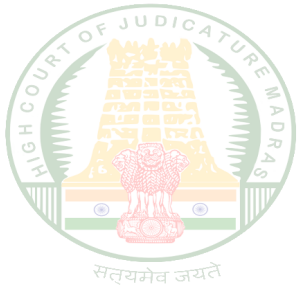
PRAYER :-

Second Appeal filed under Section 100 of Civil Procedure Code, to set aside the Judgment and decree dated 22.01.2021 passed by the Sub Court, Thoothukudi in A.S. No. 128/2015 reversing the judgment and decree dated 08.09.2015 passed by the Principal District Munsif Court, Thoothukudi in O.S. No. 372/2011 pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of this case and render justice.

For Appellants : Mr.S. Srinivasa Ragavan
for Mr.P.Edin Brough,
For 1st Respondent : Mrs.K. Shwathini

ORDER

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This Second Appeal is admitted on the following substantial questions of law:

“When a common pathway is conveyed to two different individual owners, does it lose its character as a common pathway and entitle the respective owners to absolute enjoyment of the same?”

2. Notice to the 2nd respondent through Court as well as privately returnable by 19.06.2026. In the meantime, Registry is directed to call for records from the Court concerned.

30.04.2026

trp