

SA(MD). No.224 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.224 of 2026

Kennadi

... Appellant

Vs

Annammal

... Respondent

PRAYER :-

Second Appeal filed 100 of under Section Civil Procedure Code, to allow the second appeal and set aside against judgment and decree dated 08-10-2025 made in A.S.No.14/2025 on the file of the Vth Additional Sub Court, Madurai confirming the judgment and decree dated 30-01-2024 made in O.S.No.229/2017 on the file of the Principal District munsif Court, Madurai Town.

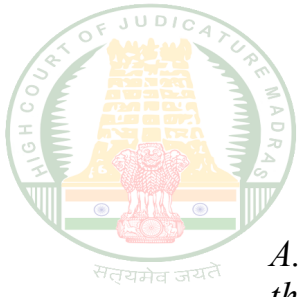
For appellant : Mr.Pt.S.Narendravasan,

ORDER

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

i) *Whether the Courts below are right in finding that the plaintiff neither challenged the judgment and decree passed in O.S.No.743 of 2009 nor challenged Judgment in*

1/2



SA(MD). No.224 of 2026

WEB COPY

*A.S.No.08.2020 and hence both judgments operate against the plaintiff, particularly in O.S.No.743 of 2009 relief of permanent injunction sought by the defendant was negated and in A.S.No.08/2000 though injunction granted it was for the schedule identified by Advocate Commissioner and not as per suit schedule?*

*ii) Whether the Courts below are right in finding that the plaintiff has not filed any Second Appeal against AA.S.No.08 of 2020 particularly the permanent injunction granted by appellate Court was only for the schedule identified by the Advocate Commissioner and not as per suit schedule?*

2. Notice to the 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