



SA(MD). No.179 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 17/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P.B. BALAJI

SA(MD). No.179 of 2026

Saratha Alias Sarathambal (Died)
Chandra mohan

... appellant

Vs

1. Parthiban (Died)
1.Chandra,
2. Idol of Neelamegaperumal Kov,
Il Devasthanam,, Rep. by its Executive Officer,
Town Hall Street,
Kulithalai..

3. The Joint Commissioner,,
Hr and Ce Department,
Srirangam,
Ammamandapam Road,
Srirangam,
Trichirappalli District..

4. The Assistant Executive Engineer,
Operation and Maintenance,
Tneb, Kulithalai.

... Respondents

PRAYER :-

Second Appeal filed under Section 100 of Civil Procedure Code to set aside the Judgment and decree dated 31.03.2023 made in A.S.No.16 of

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2017 on the file of the Learned Sub Court, Kulithalai confirming the judgement and decree dated 15.03.2017 made in O.S.No.134 of 2002 on the file of the Learned District Munsif Court, Kulithalai, and allow this Second Appeal and thus render justice.

For appellant : Mr. G.Sridharan,

ORDER

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

1) When admittedly the land rent is standing in the name o of the 1st plaintiff, whether the Courts below are right in non suiting the plaintiffs on the ground that the plaintiffs have not proved that they are in possession and enjoyment of the entire suit property?

2) Whether the dismissal of the suit on the grounds of non joinder of necessary parties is legal and proper?

Notice to the respondents through Court as well as privately returnable by 12.06.2026.

17.04.2026

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