



SA(MD). No.432 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 03/08/2026

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

SA(MD). No.432 of 2019

1. Subramanian(Died),
2. S.Venkatesh,,
3. S.Nepoliyan

... Appellants

Vs.

1. Mathiyazhagan,
2. Ravichandran,
3. Indira,
4. Buvaneswari,
5. Shobana,
6. Sithara,
7. Narmatha,

... Respondents

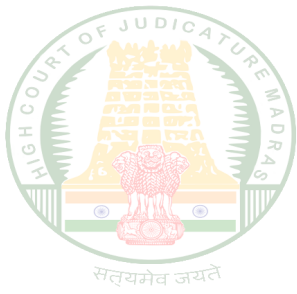
PRAYER :- Second Appeal is filed under Section 100 CPC, to set aside the judgment and decree order dated 05.04.2019 in AS No.14 of 2018 passed by the Honourable Principal District Judge, Pudukkottai confirming the judgment and decree dated 20.12.2016 in OS No.80 of 2006 on the file of the Sub Court, Pudukottai and to allow the present Second appeal.

For Appellants

: Mr.R.Paran Jothi
for M/s.KBS Law Office,

For Respondents

: Mr.A.Saravanan For R1 and R2,
Mr.P.Ganapathi Subramanian For R3 to R7,



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ORDER

Challenging the judgment and decree order dated 05.04.2019 in AS No.14 of 2018 passed by the Principal District Judge, Pudukkottai confirming the judgment and decree dated 20.12.2016 in O.S. No.80 of 2006 on the file of the Sub Court, Pudukottai, the plaintiff filed this second appeal.

2. Before the Trial Court, the plaintiff filed a suit for partition, claiming a share in the suit schedule property. The Trial Court, upon appreciation of the oral and documentary evidence, dismissed the suit holding that the suit property was the separate property of the plaintiff's brother, Pandian, and that there existed no ancestral property available for partition in the family.

3. The learned counsel for the respondents/legal heirs of the deceased defendant submitted that the plaintiff, as well as defendants 1 and 2, had already purchased separate properties in their respective names. However, with an intention to grab the property exclusively



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belonging to Pandian's branch of the family, the plaintiff has come forward with the present suit by making a false claim that the suit property is ancestral. Therefore, the Courts below have rightly rejected the plaintiff's claim, and no substantial question of law arises for consideration in the present Second Appeal.

4. Both the parties are directed to appear before this Court along with their respective sale deeds on 28.08.2026.

5. Post the matter on **28.08.2026** “for appearance of the parties”

03.08.2026

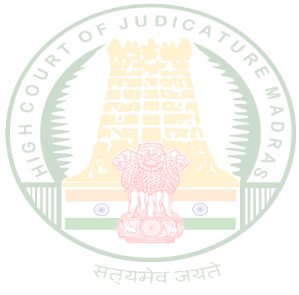
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TO

1. The Principal District Judge,
Pudukkottai

2. The Sub Court, Pudukottai

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T.V.THAMILSELVI,J

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ORDER
IN
SA(MD) No.432 of 2019

Date : 03/08/2026