



SA(MD). No.181 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.181 of 2026

1. A.Arunachala Pandian
2. A. Sankara Pandian

... Appellants

Vs

1. Aayeerathammal
2. Madasamy

.. Respondents

PRAYER :-

Second Appeal filed under Section 100 of Civil Procedure Code to set aside the Judgment and decree dated 27.03.2023 made in A.S.No.105 of 2018 on the file of the Principal Subordinate Court, Tirunelveli confirming the judgment and decree dated 18.09.2018 made in O.S.No.6 of 2017 on the file of the 1st Additional District Munsif Court, Tirunelveli, allow this Second Appeal and thus render justice.

For Appellants : S.Palanivelayutham,

ORDER

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



SA(MD). No.181 of 2026

Whether the plaintiffs can be non-suited for not seeking the relief of declaration, while seeking the reliefs of permanent injunction and mandatory injunction, when the title of the plaintiffs has not been disputed by the defendants?”

Notice to the respondents through Court as well as privately returnable by 12.04.2026.

17.04.2026

trp