



S.A(MD) No.14 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Reserved on : 11.02.2026

Delivered on : 19.02.2026

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

S.A(MD)No.14 of 2026

1.Subramanian

2.Saravanamuthu

: Appellants

Vs.

P.Rengaraj (died)

Sethumathavan

: Respondents

PRAYER : Second Appeal filed under Section 100 of the Civil Procedure Code, to set aside the judgment and decree made in A.S.No.44 of 2015 on the file of the IV Additional Sub Judge, Trichy, dated 11.10.2023, reversing the judgment and decree, dated 29.08.2011 made in O.S.No.163 of 2001 on the file of the II Additional District Munsif, Trichy.

For Appellants : Mr.R.Sundar

For Respondents : Mr.PThiyagarajan, for R2.

ORDER

The Second Appeal is admitted on the following substantial question of law :



S.A(MD) No.14 of 2026

WEB COPY

1) Is the present suit hit under Order 31 Rule 1 of the Code of Civil Procedure ?

2) Is the plaintiff Sangam exempted in G.O.Ms.No.1998. Home, dated 12.08.1974, as well as G.O.Ms.No.2000, Home, dated 16.08.1976 ?

3) Is the first appellate Court correct in holding that the plaintiff did not file the suit in his personal capacity, in spite of P.W.1's specific admission that his brother filed the suit in his personal capacity ?

2. Registry is directed to call for the records and list the matter on 04.03.2026.

19.02.2026

(1/2)

das

To

1.The IV Additional Sub Judge, Trichy.

2.II Additional District Munsif, Trichy.

3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

2/2