



WEB COPY

SA(MD)No



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 02-01-2026

Pronounced on : 09-01-2026

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

SA(MD)No.560 of 2025

1.Muneeswaran @ Muniyasamy
2.Pugalendran

**Appellants/
Appellants/
Plaintiffs**

Vs

Pitchaiammal (died)
1.P.Ramar
2.R.Dhineshkumar
3.Manivannan

**Respondents/
Respondents/
Defendants**

This Second Appeal filed under Section 100 of C.P.C. against the judgment and decree dated 24.07.2025 made in A.S.No.53 of 2017 on the file of IV Additional District Court, Madurai, by confirming the judgment and decree dated 09.07.2015 made in O.S.No.809 of 2013 on the file of the Principal Sub Court, Madurai.

For Appellants: Mr.R.Suriya Narayanan, Advocate

ORDER

The Second Appeal is directed against the concurrent judgment made in A.S.No.



SA(MD)Nc



53 of 2017 dated 24.07.2025 on the file of the IV Additional District Court, Madurai, confirming the judgment and decree made in O.S.No.809 of 2013 dated 09.07.2015 on the file of the Principal Subordinate Court, Madurai.

2. Heard the learned counsel appearing for the appellants. The Second Appeal is admitted. The following substantial questions of law are formulated:

1) Whether the Courts below correct in holding that the Ex.A.1 settlement deed, made by the first defendant in favour of his second wife Alagupillaammal is void as it is against public policy, due to their marriage is void as under Section 4 of the Madras Hindu Bigamy Prevention and Divorce Act, 1949, when Ex.A.1 is not a contract but a conveyance of property as under Section 122 of Transfer of Property Act?

2) Whether Ex.A.3 is proved by the third defendant as accordance with law, as per Section 68 of the Indian Evidence Act and Section 63 of the Indian Succession Act, by dispelling all the suspicious circumstances shrouded therein, as the profounder of the Will?

3. Issue notice to the respondents returnable by 09.02.2026. Private notice is also permitted.

4. The Registry is directed to call for the records from the Courts below.

5. Post the matter on 09.02.2026.

09-01-2026

CSM