

SA(MD) NO. 197 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22-04-2026

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CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

SA(MD) NO. 197 of 2026

1. C.Velraj
S/o. S.Chinnasamy Naicker
D.No.3/721
Gopalakrishnapuram
Sevalkulam Post
Sankarankovil Taluk
Tenkasi District.

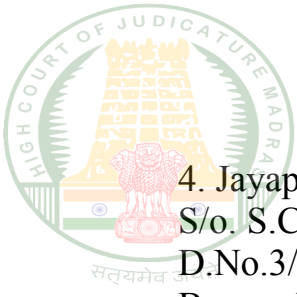
Appellant(s)

Vs

1. Kosalaammal
W/o. S.Chinnasamy
D.No.4/70
Gopalakrishnapuram
Sevalkulam Post
Sankarankovil Taluk
Tenkasi District.

2. Jegadeesan
S/o. Chinnasamy Naicker
D.No.4/70
Gopalakrishnapuram
Sevalkulam Post
Sankarankovil Taluk
Tenkasi District.

3. Vijayaraj
S/o. Chinnasamy Naicker
D.No.2/636/8
New D.No.2/968
V.O.C.Nagar
Soolakkarai Medu
Virudhunagar Town and District.



4. Jayapaul (died)
S/o. S.Chinnasamy
D.No.3/709
Bypass Road
Keelpuram
Inam Maniyachi Village
Kovilpatti Taluk
Thoothukudi District.

5. Lakshmi Naranammal
W/o.Late.S.Jayapaul
D.No.4/70
Gopalakrishna Puram
Sevalkulam Post
Thiruvengadam Taluk
Tenkasi District.

6. Nithin Kumar
S/o.Late.S.Jayapaul
D.No.4/70
Gopalakrishna Puram
Sevalkulam Post
Thiruvengadam Taluk
Tenkasi District.

7. Minor Nandha Kishore
S/o.Late.S.Jayapaul
(Minor 7th Respondent is represented by his mother and natural
guardian - 5th Respondent) D.No.4/70
Gopalakrishna Puram
Sevalkulam Post
Thiruvengadam Taluk
Tenkasi District.

[Respondents 5 to 7 are brought on record as LR's of the deceased 4th
Respondent vide court order dated 13.03.2026 made in CMP(MD) No.20574
of 2025 in SA(MD)SR.No.99376 of 2025 by PBBJ.]

Defendant(s)

For Appellant(s):

M.Thirunavukkarasu
T.Arun Ganesh
K.Kaviarasan



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For Defendant(s):

M/S.S.Kadarkarai
V.Shathurthi Raja For R1 & R2 (in Sr Stage)
M/s.V.Shabthakiri Raja For R3 (in Sr Stage)
M/s.S.Kadarkarai
V.Shathurthi Raja For R5 To R7 (R7 Minor Rep By R5)
(in Sr Stage)

Prayer:

Second Appeal filed 100 of under Section Civil Procedure Code, to allow the second appeal by setting aside the common judgment and decree dated 27-02-2025 made in A.S.No.118 of 2021 and A.S.No.42/2022 on the file of Additional District Judge, Tenkasi, modifying the judgment and decree dated 01-10-2021 made in O.S.No.34/2012 on the file of the Sub Court, Sankarankovil and thus render justice.

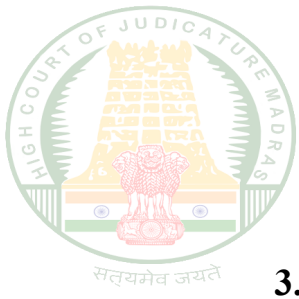
ORDER

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

“1) Whether the lower appellate court is right in dismissing the suit with respect to suit first schedule of properties holding that the plaintiff failed to prove that the same are the joint family properties?

2) Whether the suit is hit by Section 4(1) of the Benami Transactions (Prohibition) Act, 1988?

2.Mr.S.Kadarkarai, learned Counsel takes notice for the respondents 1, 2 & 5 to 7 and Mr.V.Shabthakiri, learned Counsel takes notice for the third respondent. Respondent No.4 is reported dead.



3.Registry is directed to call for the records, from the Court below concerned.

4.Post the matter on **16.06.2026**.

22-04-2026

MR

To

1. Kosalaiammal
W/o. S.Chinnasamy
D.No.4/70
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Sevalkulam Post
Sankarankovil Taluk
Tenkasi District.

2. Jegadeesan
S/o. Chinnasamy Naicker
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