

SA(MD) NO. 91 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12-03-2026

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

SA(MD) NO. 91 of 2026

1. R. Sunder Raj
S/o. Ramaiya
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.C.Vinoj Nehi

2. P.ALBERTRAJ
S/o. .PONnaiah
Thottathuvilai
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

3. P.SEKARAN
S/o. Ponnaiah
Thottathuvilai
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

4. P.NELSON
S/o. Ponnaiah
Thottathuvilai
Kollanvilai
Karungal Post



Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

WEB COPY

5. P.ROBERT SINGH
S/o. Ponnaiah
Thottathuvilai
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

6. C.MANOJ NEHI
S/o. Chellathurai
Murungavilai Junction
Palliyadi Post
Palliyadi
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

7. C.VINOJ NEHI
S/o. Chellathurai
Murungavilai Junction
Palliyadi Post
Palliyadi
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

Appellant(s)

Vs

1. Muthammal (Died) 1. Premalatha
D/o. Anbaiyan
Thottathuvilai
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.



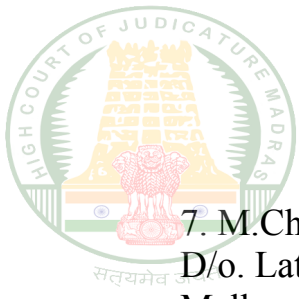
2. A.Selvi
D/o. Anbaiyan
Thottathuvilai
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

3. A Santhakumari
W/o. Nesaian
Kudiiruppuvilai
Palapallam Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

4. A.Santhakumari
W/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.

5. M.Ramesh
S/o. Late. Muthaian
Pattavilai
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

6. M.Satheesh
S/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.



7. M.Chandra
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.

8. M.Indra
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.

9. M.Sreerenthra
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.

10. M.Sujithra
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.

11. M.Jeevitha
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village



Kalkulam Taluk
Kanniyakumari District.

WEB COPY

12. M.Chitra
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.

13. Pappa Premalatha
W/o. Kingsly Mani
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

14. The District Collector
District Collector of Kanniyakumari District
Nagercoil
Agasteeswaram Taluk
Kanniyakumari District.

15. The Revenue Divisional Officer
Padmanabhapuram Village
Kalkulam Taluk
Kanniyakumari District.

16. The Tahsildar
Kalkulam Taluk
Tuckalay
Padmanabhapuram Village
Kanniyakumari District.

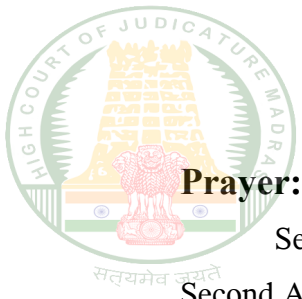
Defendant(s)

For Appellant(s):

Mr.R.Murugan

For Defendant(s):

Mr.K.S.Selvaganesan, AGP for R14 to R16



Prayer:

Second Appeal filed under Section 100 of Civil Procedure Code, to allow this Second Appeal and set aside the judgment and decree dated 04.09.2025 made in AS No.17 of 2020 on the file of Sub Court, Padmanabhapuram, confirming the judgment and decree dated 08.10.2020 made in OS No.157 of 2016 on the file of Principal District Munsif Court, Padmanabhapuram, and decree the suit with cost and thus render justice.

ORDER

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

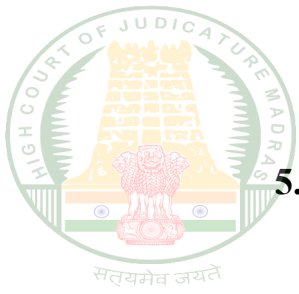
a) Whether the Courts below are right in rejecting the plaintiffs' title over the suit property without appreciating the previous suit judgment and decree passed in O.S.No.588 of 1952, on the file of Additional District Munsif Court, Padmanabhapuram?

b) Whether the Settlement deed dated 06.08.2014 can be a source of title especially in the absence of any prior documents for title and ownership of settler?

2. Notice to the respondents 1 to 13 through Court as well as privately, returnable by 09.04.2026.

3. Mr. K. S. Selvagesan, learned Additional Government Pleader takes notice for the respondents 14 to 16.

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



5.Post the matter on **09.04.2026**.

WEB COPY

MR

12-03-2026

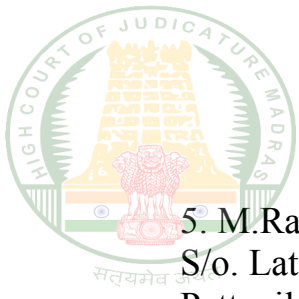
To

1. Muthammal (Died) 1. Premalatha
D/o. Anbaiyan
Thottathuvilai
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

2. A.Selvi
D/o. Anbaiyan
Thottathuvilai
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

3. A Santhakumari
W/o. Nesaian
Kudiiruppuvilai
Palapallam Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

4. A.Santhakumari
W/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.



5. M.Ramesh
S/o. Late. Muthaian
Pattavilai
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.

6. M.Satheesh
S/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.

7. M.Chandra
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.

8. M.Indra
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.

9. M.Sreerenthra
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village



Kalkulam Taluk
Kanniyakumari District.

10. M.Sujithra
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.

11. M.Jeevitha
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village

Kalkulam Taluk
Kanniyakumari District.

12. M.Chitra
D/o. Late. Muthaian
Melkaraimukku Veedu
East Eraniel
Neiyoor Post
Neiyoor Village
Kalkulam Taluk
Kanniyakumari District.

13. Pappa Premalatha
W/o. Kingsly Mani
Kollanvilai
Karungal Post
Kappiyarai A Village
Kalkulam Taluk
Kanniyakumari District.



14. The District Collector
District Collector of Kanniyakumari District
Nagercoil
Agasteeswaram Taluk
Kanniyakumari District.

15. The Revenue Divisional Officer
Padmanabhapuram Village
Kalkulam Taluk
Kanniyakumari District.

16. The Tahsildar
Kalkulam Taluk
Tuckalay
Padmanabhapuram Village
Kanniyakumari District.