



S.A. No.525 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2024

CORAM:
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

S.A. No.525 of 2024
and
C.M.P.No. 16897 of 2024

G.Manikandan

... Appellant

Vs.

1. P.Periyasamy
2. P.Chinnadurai

3. The District Collector,
Cuddalore.

4. The Revenue Divisional Officer,
Virudhachalam,
Cuddalore Dt.

5. The Tahsildar,
Tittagudi Taluk,
Cuddalore Dt.

.. Respondents

PRAYER : Second Appeal filed under Section 100 of Code of Civil Procedure, to set aside the judgment and decree dated 24.11.2021 in A.S.No. 23 of 2018 on the file of the Sub-Judge, Tittagudi, Cuddalore



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District confirming the judgment and decree dated 29.06.2012 made in O.S.No.102 of 2012 on the file of Addl. District Munsif Court, Tittagudi.

For Appellant : Mr.R.Veermani
For Respondents : Dr.S.Surya,
Addl. Govt. Pleader for R3 to R5

JUDGMENT

The appellant herein is the 4th defendant in the suit preferred this Second Appeal challenging the findings of the courts below in the Appeal Suit in A.S.No. 23 of 2018 on the file of Sub-Judge, Tittagudi, Cuddalore District confirming the judgment and decree passed in O.S.No.102 of 2012 on the file of the Addl. District Munsif Court, Tittagudi, Cuddalore Dt.

2. For the sake of convenience, the parties are referred as per the ranking in the suit.

3. On perusal of records, it reveals that already the property said to be purchased by the appellant/4th defendant was sold through court auction in the year 1972, in which, the plaintiffs/respondents 1 and 2 filed a suit against their vendor. However, the 4th defendant purchased the property



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subsequently and he claimed right over the property through the settlement deed, which was said to be executed by his grandmother Thangammal on 22.01.2003. But the fact reveals that the property was already auctioned in the year of 1972. So, on considering the said fact, this Court also finds that the 4th defendant has no right over the property. Hence, I do not find any merit in this Second Appeal and also finds that there is no question of law arise for consideration. Accordingly, this Second Appeal stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

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Index : Yes / No
Internet : Yes / No
Speaking/Non-speaking order
rpp

To

The Sub-Judge, Thittakudi.



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T.V.THAMILSELVI, J.

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