



A.S.(MD)No.89 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2025

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**A.S.(MD)No.89 of 2019
and
C.M.P.(MD)No.4765 of 2019**

1.Alagesh

2.Radha Martin

... Appellants

-VS-

1.Jerlinroona

2.Jerlin Suppriya

3.Monica Amutha

... Respondents

(Minor respondents 1 and 2 are declared as
Major and the guardianship of their father
Seenivasan is discharged vide Court order
dated 16.09.2025 in C.M.P.(MD)No.5838
of 2025 in A.S.(MD)No.89/2017)

PRAYER: Appeal Suit filed under Section 96 of C.P.C. against the
judgment and decree passed by the learned Principal District Judge,
Tirunelveli in O.S.No.100 of 2013 dated 24.08.2015.



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For Appellants : Mr.S.R.M.Uthiran
for Mr.R.Anand

For Respondents : Mr.K.Sudalaiyandi for R1 & R2

No Appearance for R3

JUDGMENT

(Judgment of the Court was delivered by *C.V.Karthikeyan, J.*)

The defendants 1 and 2 in O.S.No.100 of 2013 on the file of the Principal District Court, Tirunelveli have filed the present appeal, aggrieved by the preliminary decree passed in a suit for partition dated 24.08.2015.

2. It is informed that subsequently, the Principal District Court at Tirunelveli had also passed a final decree in I.A.No.295 of 2016 by order dated 23.10.2021. It is further informed that till this date, the said final decree has not been challenged. The copy of the order of the final decree has also been presented before this Court.



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3. In view of the same, the challenge to the preliminary decree does not survive any more. Accordingly, the Appeal Suit stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[C.V.K., J.] [R.V., J.]
29.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/No

vsm

To

1. The Principal District Court, Tirunelveli.
2. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court.



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C.V.KARTHIKEYAN, J.
and
R.VIJAYAKUMAR, J.

vsm

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