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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

SA No. 527 of 2023
and
CMP.Nos.16321 of 2023 and
17942 of 2026

CNR:{HCMA010827112023}

1. Rajammal
W/o Late Chithuraj, D.No.1-2/28,
Muniyappan Kovil St, Surapalli
Village, Jalakanda Puram Post, Mettur
Tk, Salem Dt

Appellant(s)

Vs

1. Paiyammal
W/o Late Ovi Reddy, D.No.3/339,
Reddiyur, Avadathur Village, Jalakanda
Puram Post, Mettur Tk, Salem Dt

2.Chithammal
W/o Late Chiththuraj, D.No.3/339,
Reddiyur, Avadathur Village, Jalakanda
Puram Post, Mettur Tk, Salem Dt

3.Thambi Durai
S/o Late Chiththuraj, D.No.3/339,
Reddiyur, Avadathur Village, Jalakanda
Puram Post, Mettur Tk, Salem Dt

4.Kavitha
D/o Late Chiththuraj, D.No.3/339,
Reddiyur, Avadathur Village, Jalakanda
Puram Post, Mettur Tk, Salem Dt

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5.Shanthi
D/o Late Chiththuraj, D.No.3/339,
Reddiyur, Avadathur Village, Jalakanda
Puram Post, Mettur Tk, Salem Dt

6.Rajasekar
S/o Ramasamy, Res at Chinnasuragai,
Surapalli Village and Post, Mettur Tk,
Salem Dt

7.Jayapriya
D/o Rajasekar, Res at Chinnasuragai,
Surapalli Village and Post, Mettur Tk,
Salem Dt

8.Minor Pavithra
D/o Rajasekar, Res at Chinnasuragai,
Surapalli Village and Post, Mettur Tk,
Salem Dt Rep by Father and Guardian
6th respondent

9.The Executive Officer
Town Panchayat, Office of Salem
Collector, Jalakanda Puram Post,
Mettur Tk, Salem Dt

10.Deputy Director, Town Panchayat
Salem Collector Office, Salem
Collectors Building, Salem1

11.Director Of Town Panchayat
Ezhilagam, Chenni

12.The Tahsildar
Mettur Tk, Salem Dt 636 401

13.The District Collector
Salem Dt, Salem 1

Respondent(s)

PRAYER

Second Appeal filed under Section 100 of Code of Civil Procedure prays to set aside the Decree and Judgment passed in AS.No. 4 of 2020 dated 16.03.2023 on the file of Subordinate Judge, Mettur confirming the Judgement and Decree

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in OS.No. 108 of 2018 dated 12.12.2019 on the file of District Munsif, Mettur.

For Appellant(s): Mr.R.Subramanian

For Respondent(s): Mr.V.Elangovan For R1 To R5 ,
7 R6 - Addressee Cannot Be Located
(r8 - Minor Rep. By R6)
Dr.S.Suriya For R9
Mr.P.Sunil Ga
For R10 To R13

JUDGEMENT

The appellant has filed this appeal to set aside the Judgement and Decree passed in AS.No. 4 of 2020 dated 16.03.2023 on the file of the Subordinate Judge, Mettur, confirming the Judgement and Decree in OS.No. 108 of 2018 dated 12.12.2019 on the file of District Munsif, Mettur.

2. For the sake of convenience, the parties herein are referred to as they were ranked in the suit.

3. The appellant claims to be the wife of the deceased Chithuraj. However, she has not produced any relevant documentary evidence to substantiate her claim, except a passbook and a ration card. On the other hand, the second defendant, who also claims to be the wife of the deceased Chithuraj, has produced the service records of the deceased, wherein she is shown as his legal heir. She has also produced the relevant ration card and service records in support of her claim.

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4. Relying on the documentary evidence produced by the second defendant, the courts below held that the second defendant was the wife of the deceased and defendants 3 to 5 were his children. Since the appellant had failed to produce any relevant documents to establish her claim that she was the wife of the deceased, the courts below rightly dismissed the suit. This Court finds no reason to interfere with the concurrent findings of the courts below.

5. Accordingly, the Second Appeal is dismissed as devoid of merits. No costs. Consequently, the connected miscellaneous petitions are closed.

27-10-2026

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
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To

1.The District Munsif, Mettur.

2.The Subordinate Judge, Mettur.

3.The Executive Officer
Town Panchayat, Office of Salem
Collector, Jalakanda Puram Post,
Mettur Tk, Salem Dt

4.Deputy Director, Town Panchayat
Salem Collector Office, Salem
Collectors Building, Salem1

5.Director Of Town Panchayat
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Mettur Tk, Salem Dt 636 401

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T.V.THAMILSELVI J.

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