



WEB COPY

S.A.No.933 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

S.A.No. 933 of 2016

and C.M.P.No.18794 and 18795 of 2016

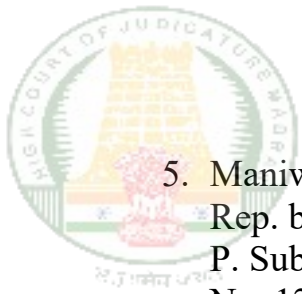
1. Sornammal
W/o. Sennimalai Gounder
2. M.S. Palanisamy
S/o. Sennimalai Gounder.
3. S. Krishnamurthy
S/o. Sennimalai Gounder.
4. Sulochana
W/o. Subramaniam.

..Appellant(s)

Vs.

1. V. Easwaramurthy @ Easwaran
S/o. Venkatachala Gounder, Perumanallur,
Tiruppur Taluk
2. V. Natarajan
S/o. Venkatachalam Gounder
Gobi, Erode District
3. V. Dhandapani
S/o. Venkatachala Gounder,
Sevanthampalayam, Tiruppur.
4. Venkatesh P.Sarathi
S/o. Late T.Parthasarathi
No.652, 46-A Cross, 3rd Block, Rajaji Nagar,
Bengaluru-560 010

(R4 impleaded as party respondent vide Court
order dated 14/08/2025 made in CMP.
No.12356 of 2024 in S.A.No.933 of 2016 (KBJ)



5. Maniway City Developers (P) Limited
Rep. by its Managing Director
P. Subramaniam
No. 121, TNHB Neighborhood Scheme (New),
Tharapuram Kaspas, Tharapuram Taluk,
Tirupur District.
6. Sree Venkatachalapathy Consultancy (P) Limited L
Rep. by its Managing Director, P.Karthikeyan,
No. 2/321-A, Alankattupudur, Uthukuli Road,
Tirupur-607.

(R5 and R6 are impleaded as party
Respondents vide Court order dated
02/12/2025 made in CMP.No.28356 of 2025
in SA.No.933 of 2016 (PDBJ)

..Respondent(s)

Prayer: Second Appeal filed under Section 100 of C.P.C. to set aside the judgement and decree dated 05.12.2012 made in A.S.No.9 of 2008 passed by the Principal Sub-ordinate Judge, Tiruppur, partially reversing the decree and judgement dated 12.08.2004 made in O.S.No.178 of 2001, on the file of the District Munsif Court, Tiruppur.

For Appellant(s): Mr.R.Krishna Prasad
for M/s.Sarvabhauman Associates

For Respondent(s): M/s. P.Saravana Sowniyan – R4
Mr.G.Ilamurugu - R1 to R3, R5 and R6

JUDGMENT

Today, learned counsel appearing for the appellants filed a Memo dated 23.01.2026, reporting no instructions from the appellants. However, learned counsel appearing for the 4th respondent would submit that they have purchased



the property to an extent of 2.82 acres on 03.04.2006 from the appellants.

Thereafter, the First Appellate Court passed a decree that the appellants are only entitled to 1.41 acres. Therefore, the Second Appeal.

2.During the pendency of the Second Appeal, the 4th respondent sold the property to an extent of 1.41 acres to the 5th and 6th respondent.

3.The respondents 1 to 3 have already sold 4.23 acres to the 5th and 6th respondent. As such, the entire property was sold to the 5th and 6th respondents. Therefore, either the appellants or the respondents 1 to 3 and respondent No.4 have no right over the property. The 5th and 6th respondents have purchased the entire property, thereby, they are the absolute owners of the property.

4.Since, sufficient opportunities have already been given to the appellants, and that now the counsel for the appellants has filed the Memo dated 23.01.2026, reporting no instructions, and also considering the fact that the entire property was already sold to the 5th and 6th respondents, and the share of the appellants was already sold to the 4th respondent, the appellants have no right over the property.

5.Subject to the above observation and recording of the Memo dated 23.01.2026 filed by the counsel for the appellants, this Second Appeal stands



WEB COPY

S.A.No.933 of 2



P.DHANABAL, J.

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dismissed. No costs. Consequently, connected miscellaneous applications are closed.

23-01-2026

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

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