

Separajan vs Devarajan

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SooperKanoon Citation : sooperkanoon.com/1417371

Court : Chennai

Decided On : Feb-26-2026

Judge : Honourable Mr Justice N. Sathish Kumar

Appeal No. : SA/53/2010

Appellant : Separajan

Respondent : Devarajan

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR AND SA NO. 1334
OF 2009 and M.P.No.1 of 2009 and M.P.No.1 of 2010

1. Separajan (died) S/o Venkatarama Reddiar, Erumaipatti, Namakkal
Taluk.

2. Selvaraj S/o Venkatarama Reddiar, Erumaipatti, Namakkal Taluk.

3. Rajambu Ammal W/o Venkatarama Reddiar, Erumaipatti, Namakkal Taluk.
4. Jayalakshmi D/o Venkatarama Reddiar, 30, Lokamaniya Street, R.S.Puram, Coimbatore.
5. Saraswathi D/o Venkatarama Reddiar, Devamangalam Post, Via Samayapuram, Trichy District.
6. Kalaiselvi, Senthamangalam TK, Namakkal DT.
7. Umarani, GF 2, Essar Flat, Rotary Nagar, No.1, Tollgate, Trichy 621 216.
8. Umapathi, Senthamangalam TK, Namakkal DT. Page1 of 8
9. Boopathi, Senthamangalam TK, Namakkal DT. (Appellants 6 to 9 brought on record as Lrs of the deceased A1 viz., Separajan, vide Court

order dated 11.07.2024 made in CMP.Nos.

13939, 13940 & 13942 of 2021) ..Appellant(s) Vs

1. Devarajan S/o Venkatarama Reddiar, Thottiam, Musiri Taluk.
2. Mani Mohan S/o Devarajan, Thottiam, Musiri Taluk.
3. Vijayakumar S/o Devarajan, Thottiam, Musiri Taluk.
4. Kalaivani D/o Devarajan, Thottiam, Musiri Taluk.
5. Kuppiah Andi
6. Palaniandi
7. Thandappan
8. Chellammal Alias Chellayee W/o Chinnappan Alias Chelliah,

9. Ravi S/o Dasaratharajan, Erumaipatti, Namakkal Taluk. ..Respondent(s) Page2 of 8 SA No. 1334 of 2009

1. Manimohan S/o. Devaraj Elurpatti Musiri Tk Trichy Dist.

2. Vijayakumar S/o. Devaraj Elurpatti Musiri Tk Trichy Dist.

3. Kalaivani D/o. Devaraj Elurpatti Musiri Tk Trichy Dist. ..Appellant(s) Vs

1. Devarajan S/o. Venkatrama Reddiar Thottiyam Village Musiri Tk Trichy Dist.

2. Separajan S/o. Venkatrama Reddiar Elurpatti Namakkal Tk.

3. Selvaraj S/o. Venkatrama Reddiar Elurpatti Namakkal Tk.

4. Rajambu Ammal W/o. Venkatrama Reddiar Elurpatti Namakkal Tk.

5. Jayalakshmi W/o. A Udhayakumar No30 Logamaniya Street Rs Puram Kovai Dist.

6. Saraswathi W/o. Vasudeva Reddiar Devamangalam Post Samayapuram Trichy Dist.

7. Kuppaiyandi S/o. Veerasangu Kavakarapatti Namakkal Tk.

8. Palaniyandi S/o. Veerasangu Kavakarapatti Namakkal Tk. Page3 of 8

9. Thandappan

S/o. Veerasangu Kavakarapatti Namakkal Tk. 10.Chellayee W/o. Chinnapavvan Kavakarapatti Namakkal Tk. 11.Ravi S/o. Dhasaradharajan Reddiar Erumaipatti Namakkal Tk. ..Respondent(s) S.A.No.53 of 2010

PRAYER : Appeal filed under Section 100 of C.P.C., to set aside the judgment

and decree of the learned Subordinate Judge, Namakkal, dated 28.08.2009 made in A.S.No.96 of 2005, confirming the judgment and decree of the learned District

Munsif, Namakkal dated 31.01.2005 made in O.S.No.139 of 2004. S.A.No.1334 of 2009

PRAYER : Appeal filed under Section 100 of C.P.C., to set aside the judgment

and decree dated 28.08.2009 made in A.S.No.165 of 2005 on the file of the Sub Court, Namakkal, confirming the judgment and decree dated 31.01.2005 made in O.S.No.139 of 2004 on the file of the Principal District Munsif Court, Namakkal. For Appellant(s): Mr.C.Jagadish For Respondent(s): Mr T.Dhanyakumar for Rr2 To 4 Page4 of 8 SA No. 1334 of 2010 For Appellant(s): Mr.T.Dhanyakumar For Respondent(s): Mr.C.Jagadish, for RR 3, 5 and 6

JUDGMENT

S.A.No.53 of 2010 has been filed challenging the preliminary decree in respect of C Schedule property in favour of the plaintiff. This Appeal has been filed by the defendants.

2. S.A.No.1334 of 2009 has been filed by the plaintiffs challenging the

judgment and decree refusing to grant preliminary decree in respect of B

Schedule property.

3. The plaintiffs are the legal heirs born through the first wife of

Venkatarama Reddy. The defendants are the legal heirs born through the second wife of Venkatarama Reddy. The defendants 7 to 11 in S.A.No.1334 of 2009 are the purchasers of the B Schedule property. Defendants 1 to 6 are the legal heirs born through the second wife of Venkatarama Reddy and their children. The Suit has been dismissed in respect of B Schedule property. Page5 of 8

4. Before this Court, a compromise memo has been filed by the appellants

in both the Appeals. The Appellants in both the Appeals are present and the appellants 2, 4 and 5 in S.A.No.53 of 2010 are appeared through Video Conferencing. Their identity has been established by the learned counsel appearing for the Appellants. All other appellants in S.A.No.1334 of 2009 are present before this Court and other appellants in S.A.No.53 of 2010 are present in the Court. They are also identified by the respective learned counsels.

5. In the compromise memo, it is agreed that in C Schedule, item 1 and

13 to 18 were allotted to the 9th appellant in S.A.No.53 of 2010 and in the same C Schedule, items 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12 were allotted to 8th appellant in S.A.No.53 of 2010 and item 8 of C Schedule property, an around 1.04 acres were jointly allotted to the Manimohan, Vijayakumar, Kalaivani and Vimala, the respondents 2, 3, 4 and 10 in S.A.No.53 of 2010. Similarly, in schedule C after leaving a path, an extent of 1.16 in Survey No.317/1 were allotted to respondents 2, 3, 4 and 10 in S.A.No.53 of 2010. It is also agreed that the 9th appellant has to take care of the 2 nd appellant viz., Selvaraj and it is also agreed that the 8th appellant has to pay a sum of Rs.3,80,000/- by Demand Draft to the 5th defendant viz., Jayalakshmi. Similarly, the same amount of Rs.3,80,000/- has to be paid to the 6 th defendant viz., Saraswathi by the 9th appellant. Page6 of 8

6. The said joint compromise memo is taken on record and both the

Appeals are disposed of in terms of joint memo of compromise. The joint compromise memo shall form part of the decree and judgment and the final decree shall be drafted in terms of the compromise memo filed by the parties. The parties shall request for non-judicial papers for endorsing the final decree within a period of one month from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed. 26-02-2026 Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No GSK To

1. The Subordinate Judge, Namakkal. 2.The District Munsif, Namakkal. Page7 of 8
N.SATHISH KUMAR J. GSK AND SA NO. 1334 OF 2009 and M.P.No.1 of 2009
and M.P.No.1 of 2010 26-02-2026 Page8 of 8

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