



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1428 of 2026

1. A.Murugan,
S/o.Arumugham, No.10, Mettu Street,
Soorapanaickanchavadi,
Thirupapuliyur, Cuddalore -607 002.

Petitioner(s)

Vs

1. A.Ayyasamy,
S/o.A. Arumugham, No.2, Mettu Street,
Soorapanaickanchavadi,
Thirupapuliyur, Cuddalore -607 002.

2.A.Purushothaman,
S/o.A. Arumugham, No.3, Mettu Street,
Soorapanaickanchavadi,
Thirupapuliyur, Cuddalore -607 002.

3.A.Amirtharaj,
S/o.A. Arumugham, No.3, Mettu
Street, Soorapanaickanchavadi,
Thirupapuliyur, Cuddalore -607 002.

4.A.Sivakozhundu,
S/o.A.Arumugham, No.3, Mettu Street,
Soorapanaickanchavadi,
Thirupapuliyur, Cuddalore -607 002.

5.A.Varadharajan,
S/o.A.Arumugham, No.3, Mettu Street,
Soorapanaickanchavadi,
Thirupapuliyur, Cuddalore -607 002.

6.V.Renuga,
D/o.Arumugam, W/o.Late



Venkatachalapathy, Ayipettai,
Venkatampettai Post, Kurinjipadi Taluk,
Cuddalore District.

7.A.Arunthathi,
D/o.A.Arumugham, No.2, Mettu Street,
Soorapanaickanchavadi,
Thirupapuliyur, Cuddalore -607 002.

8.S.Punithavalli,
D/o.Arumugam,
W/o.R.K.Selvanayagam, 146A, Kesava
Nagar, Kallakurichi -607 202.

9.O.Savithiri,
D/o.Arumugam, W/o.V.Omalingam,
Karaikal Main Road, Kottucherry,
Karaikal, Puducherry State.

10.S.Sudamani,
D/o.Arumugam,
W/o.K.V.K.Sundaravadhanan, No.76,
Venu Illam, Villupuram Road, Gingee,
Villupuram District.

11.The Joint II Sub-Registrar,
Thirupapuliyur, Cuddalore -607 002.

12.The Sub-Registrar,
Parangipettai, Bhuvanagiri Taluk,
Cuddalore. A.Arumugham (Died)

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, prays to allow this Revision petition and set aside the fair order and decretal dated 18.07.2025 passed in I.A.No.102 of 2019 in O.S.No.24 of 2013 on the file of the I Additional District and Sessions Judge, Cuddalore.

For Petitioner(s): Mr.D.Baskar

For Respondent(s):



ORDER

Challenging the impugned order passed by the learned trial Judge in I.A.No.102 of 2019 in O.S.No.24 of 2013 on the file of the I Additional District and Sessions Judge, Cuddalore, the second plaintiff has preferred this revision.

2. Before the trial Court, during the lifetime of the first plaintiff, an application in I.A. No.618 of 2013 was filed under Order XXIII Rule 1 CPC seeking permission to withdraw the suit. The second plaintiff was arrayed as the first respondent therein. The trial Court allowed the application.

3. According to the revision petitioner, the trial Court failed to assign proper reasons for permitting withdrawal of the suit. Hence, the second plaintiff filed I.A. No.102 of 2019 in O.S.No.24 of 2013, to recall the order, which was dismissed on the ground that it was not filed within six months from the date of the earlier order.

4. On perusal of the records, it is seen that after allowing I.A. No.618 of 2013, the first plaintiff died, and the plaint was amended by the second plaintiff, who continued the proceedings. However, no steps were taken within the prescribed time to recall the withdrawal order.



WEB COPY

5. The trial Court has rightly held that the application was belated and not maintainable.

6. Therefore, the order passed by the trial Court is confirmed, and the revision is dismissed as devoid of merits. No costs.

20-04-2026

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



CRP No. 1428 of 2026



To

1. I Additional District and Sessions Judge, Cuddalore.
2. The Section Officer, VR Section, High Court of Madras.



WEB COPY

CRP No. 1428 of 2026



T.V.THAMILSELVI J.
rri

CRP No. 1428 of 2026

20-04-2026