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CRP No. 4062 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

**CRP No. 4062 of 2026
AND
CMP NO. 17785 OF 2026**

1. Sagadevan

2. Ellammal

..Petitioners

Vs

1. Dharman

2. Arjunan

..Respondents

Prayer : Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the Judgement and fair Decretal order dated 24.04.2026 made in I.A.No.8 of 2025 in OS No.41 of 2024 on the file of the in the Court of II Additional District & Session Judge, Arakonam by allowing this Civil Revision Petition.

For Petitioners:

Mr.M.A.Abdul Wahab
for M/s.K.V.Subramanian Associatez

For Respondents:

Notice dispensed with



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ORDER

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This Civil Revision Petition has been filed challenging the impugned order dated 24.04.2026 passed by the II Additional District & Sessions Court, Arakonam, Ranipet District in I.A.No.8 of 2025 in O.S.No.41 of 2024.

2. Since no adverse order is passed against the respondents in this civil revision petition, notice to the respondents is dispensed with by this Court.

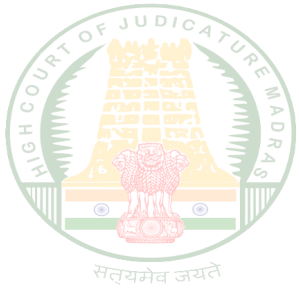
3. In the aforesaid order, the application filed by the 1st respondent/1st defendant seeking to include the properties morefully disclosed in I.A.No.8 of 2025 in O.S.No.41 of 2024 has been allowed by the trial court. According to the petitioners, the properties, which are sought to be included in the partition suit, have already been settled in favour of the petitioners by way of settlement deeds. Therefore, the properties cannot be included in the partition suit filed by the 1st petitioner/plaintiff in O.S.No.41 of 2024.



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4. By filing this revision, the petitioners are only delaying the disposal of the partition suit. This Court need not go into the merits of the impugned order through this revision. The rights of the petitioners had also not been defeated by the passing of the impugned order. They have got every right to oppose the inclusion of properties through the cross-examination of the 1st respondent during trial and also make their submissions with regard to the inclusion of the properties in the main suit.

5. Since the suit is of the year 2024, no useful purpose would be served if the impugned order is interfered with in this revision as the rights of the parties will get defeated on account of the delayed disposal of the suit. The petitioners' rights will be adequately protected if the trial court is directed to dispose of the suit, within a time frame to be fixed by this Court, being uninfluenced by any of the observations made by the trial court in the impugned order and by permitting the petitioners to raise all objections at the time of cross-examination of the 1st respondent and object to the inclusion of the properties during the arguments in the main suit.



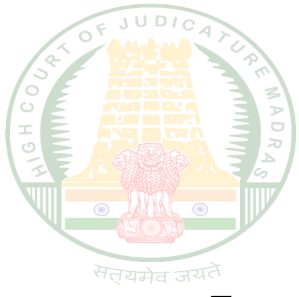
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6. For the foregoing reasons, this Civil Revision Petition is disposed of by not interfering with the impugned order dated 24.04.2026, but at the same time, directing the trial court, namely the II Additional District & Sessions Court, Arakkonam, Ranipet District to dispose of the suit in O.S.No.41 of 2024, within a period of six (6) months from the date of receipt of a copy of this order, being uninfluenced by any of the observations made in the impugned order dated 24.04.2026 passed in I.A.No.8 of 2025 in O.S.No.41 of 2024 and also by permitting the petitioners to raise all grounds available to the petitioners under law, which includes the grounds raised in this revision at the time of cross-examination of the 1st respondent and also by permitting the petitioners to raise all objections during the arguments in the main suit. No costs. Consequently, the connected miscellaneous petition is closed.

14-07-2026

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

The II Additional District & Sessions Court,
Arakkonam, Ranipet District.



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ABDUL QUDDHOSE J.

sp

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