

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2018

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Civil Revision Petition (NPD) No.4700 of 2017
and
C.M.P.No.22105 of 2017

Muthumani (died)

C.K.Suganthi

... Petitioner

..Vs..

1.P.Krishnasamy

2.M.Nithyanandan

Palanisamy (died)

Nachimuthu (died)

3. C.N.Ponnusamy

4.C.N.Ramasamy

5.C.N.Palanisamy

6.Subbathal

7.Lalitha @ Dhanalakshmi

8.C.K.Ramasamy

9.V.P.Duraisamy

10.Palaniyammal

11.N.Parvathi

12.B.Sundarambal

13.K.Subbulakshmi

14.Ramathal

15.Balasubramaniam

16.Gunasekaran

17.Ravichandran

... Respondents

Prayer: This Civil Revision Petition has been filed under Article 227 of Constitution of India, against the petition and order dated 10.08.2017 made in I.A.No.1124 of 2017 in O.S.No.1084 of 2004 on the file of the learned District Munsif Court, Tiruppur.

For petitioner : Mr.N.Manokaran
For R1 to R2 : Mr.V.P.Sengottuvel
For R3 to R17 : No appearance

ORDER

By consent of both the parties, the matter has been taken up for final disposal today before this Court.

2. According to the revision petitioners, the revision petitioners have filed a suit in OS.No.1084 of 2004 on the file of the learned District Munsif, Tiruppur against the respondents herein. In the aforesaid suit, the respondent 1 and 2 herein filed an application in IA.No.1124 of 2017 to implead themselves, which was allowed. Hence, revision petitioners have filed the present Civil Revision Petition before this Court.

3. Without going into merits of the case, by consent of parties, this Court is inclined the following orders:

i) The order passed in I.A.No.1124 of 2017 in O.S.No.1084 of 2004, dated 10.08.2017 on the file of the learned District Munsif Court, Tiruppur is set aside

and remanded to the District Munsif Court, Tirupur to consider afresh and pass order, after providing an opportunities to the parties concerned.

ii) The Revision Petitioners are permitted to file the counter statement within a period of two weeks from the date of receipt of a copy of this order.

iii) Thereafter, the respondent can file reply statement within a period of one week if so advised.

iv) It is open to the parties to raise their respective contentions in the application before the Court below.

v) Thereafter, the Court below is directed to pass an order in accordance with law on or before 30th June 2018.

4. The Civil Revision Petition is allowed with the above directions. Consequently, the connected miscellaneous petition is closed. No costs.

सत्यमेव जयते

23.03.2018

nvi

Note: Issue order copy on 02.05.2018

B/o
avr

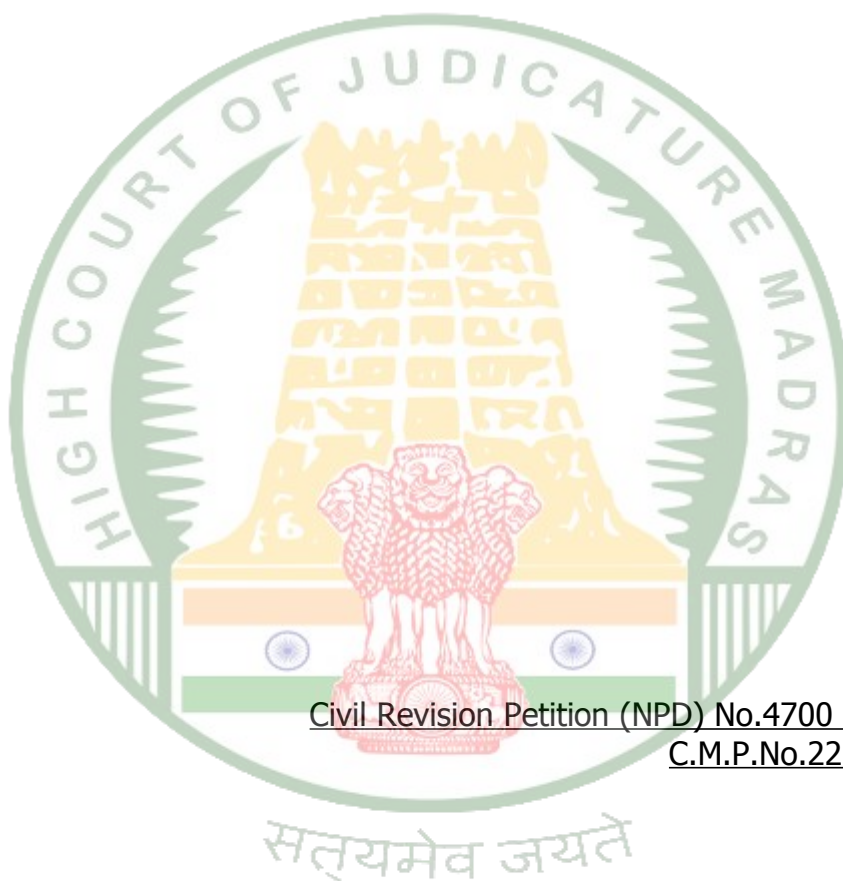
To

The District Munsif Court, Tiruppur.

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D.KRISHNAKUMAR.J,

nvi



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C.M.P.No.22105 of 2017

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