



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (PD) (MD) Nos.1483 to 1487 of 2015
and 1570 of 2015

and

M.P. (MD) .Nos.1,1,1,1,1 and 1 of 2015

in

C.R.P. (MD) .Nos.1483 to 1487 and 1570 of 2015

and

C.M.P. (MD) .Nos.7788 to 7792 of 2017

in

C.R.P. (MD) .Nos.1483 to 1487 of 2015

C.R.P. (MD) .No.1483 of 2015

1.V.Sumathi

2.S.Chitra

...Petitioners/1st and 2nd Defendants

Vs.

1. N.Padmanabhan

... 1st Respondent/Plaintiff

2. Sujatha

3. No.1 Joint Sub Registrar,
District Registration Office,
Shanmugapuram,
Ulavarsandhai Palani,
Dindigul District.

...2nd & 3rd Respondents
3rd & 4th Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for records pertaining to the plaint in O.S.No.44 of 2015 pending on the file of the learned District Munsif, Palani, strike off the same.

For Petitioners

: Mr.A.Jayaramachandran

For R1

: Mr.T.Antony Arulraj

For R2

: Mr.D.Venkatesh

For R3

: Mr.Aayiram K Selvakumar

Additional Government Pleader

C.R.P. (MD) .No.1484 of 2015



Vs.

1.N.Padmanabhan ... 1st Respondent/Plaintiff
2. Saravanabava ... 2nd respondent/1st Defendant
3. Sujatha
4. No.1 Joint Sub Registrar,
District Registration Office,
Shanmugapuram,
Ulavarsandhai Palani,
Dindigul District. ... 3rd & 4th Respondents
4th & 5th Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for records pertaining to the plaint in O.S.No.57 of 2015 pending on the file of the learned District Munsif, Palani, strike off the same.

For Petitioners : Mr.A.Jayaramachandran
For R1 : Mr.T.Antony Arulraj
For R3 : Mr.D.Venkatesh
For R4 : Mr.Aayiram K Selvakumar
Additional Government Pleader
For R2 : No appearance

C.R.P. (MD) .No.1485 of 2015

1.V.Sumathi
2.S.Chitra ...Petitioners/3rd and 4th Defendants

Vs.

1.N.Padmanabhan ... 1st Respondent/Plaintiff
2.Noorjehan
3.M.Sikkandar ... 2nd & 3rd Respondents/
1st & 2nd Defendants
4. Sujatha
5. No.1 Joint Sub Registrar,
District Registration Office,
Shanmugapuram,
Ulavarsandhai Palani,
Dindigul District. ... 4th & 5th Respondents
5th & 6th Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for records pertaining to the plaint in O.S.No.58 of 2015 pending on the file of the learned District Munsif, Palani, strike off the same.



For Petitioners	:	Mr.A.Jayaramachandran
For R1	:	Mr.T.Antony Arulraj
For R2&R3	:	Mr.T.Lenin Kumar
For R4	:	Mr.D.Venkatesh
For R5	:	Mr.Aayiram K Selvakumar
		Additional Government Pleader

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C.R.P. (MD) .No.1486 of 2015

1.V.Sumathi
2.S.Chitra ...Petitioners/2nd and 3rd Defendants

Vs.

1. N.Padmanabhan	...	1 st Respondent/Plaintiff
2. V.Subbulakshmi	...	2 nd Respondent/1 st Defendant
3. Sujatha		
4. No.1 Joint Sub Registrar, District Registration Office, Shanmugapuram, Sulavarsandhai Palani, Dindigul District.	...	3 rd & 4 th Respondents 4 th & 5 th Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for records pertaining to the plaint in O.S.No.60 of 2015 pending on the file of the learned District Munsif, Palani, strike off the same.

For Petitioners	:	Mr.A.Jayaramachandran
For R1	:	Mr.T.Antony Arulraj
For R3	:	Mr.D.Venkatesh
For R4	:	Mr.Aayiram K Selvakumar
		Additional Government Pleader
For R2	:	No appearance

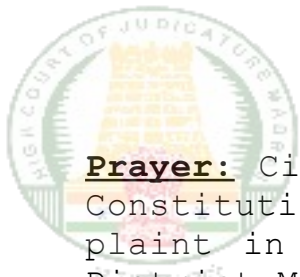
C.R.P. (MD) .No.1487 of 2015

1.V.Sumathi
2.S.Chitra ...Petitioners/2nd and 3rd Defendants

Vs.

1.N.Padmanabhan	...	1 st Respondent/Plaintiff
2.K.Kumar	...	2 nd Respondent/1 st Defendant
3.Sujatha		

4. No.1 Joint Sub Registrar, District Registration Office, Shanmugapuram, Ulavarsandhai Palani, Dindigul District.	...	3 rd & 4 th Respondents 4 th & 5 th Defendants
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Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for records pertaining to the plaint in O.S.No.61 of 2015 pending on the file of the learned District Munsif, Palani, strike off the same.

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For Petitioners	:	Mr.A.Jayaramachandran
For R1	:	Mr.T.Antony Arulraj
For R3	:	Mr.D.Venkatesh
For R4	:	Mr.Aayiram K Selvakumar Additional Government Pleader
For R2	:	No appearance

C.R.P. (MD) .No.1570 of 2015

1.V.Sumathi
2.S.Chitra ...Petitioners/2nd & 3rd Defendants

Vs.

1. N.Padmanabhan	...	1 st Respondent/Plaintiff
2. N.Pravitha	...	2 nd Respondent/1 st Defendant
3. Sujatha		
4. No.1 Joint Sub Registrar, District Registration Office, Shanmugapuram, Ulavarsandhai Palani, Dindigul District.	...	3 rd & 4 th Respondents 4 th & 5 th Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for records pertaining to the plaint in O.S.No.59 of 2015 pending on the file of the learned District Munsif, Palani, strike off the same.

For Petitioners in	:	Mr.A.Jayaramachandran
For R1	:	Mr.T.Antony Arulraj
For R3	:	Mr.D.Venkatesh
For R4	:	Mr.Aayiram K Selvakumar Additional Government Pleader
For R2	:	No appearance

COMMON ORDER

These Civil Revision Petitions are filed for a direction to the learned District Munsif, Palani to strike off the plaint in O.S.Nos.44,57,58,60,61 and 59 of 2015.



2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. While pending of these revision petitions, the petitioners have filed applications under Order 7 Rule 11 of C.P.C., in I.A.Nos.703 to 708 of 2017 to reject the plaint in O.S.Nos. 44,57,58,60,61 and 59 of 2015 before the District Munsif Court, Palani, after two years of the filing of the civil revision petitions.

4. The representing counsel for the petitioners seeks time for appearance of the learned counsel on record for the petitioners. But, this Court need not hear the learned counsel on record and the document produced by the learned counsel for the respondents, makes it clear that the petitioners have approached this Court by invoking the jurisdiction under Article 227 of the Constitution of India, in the year 2015. While pending the CRPs, the petitioners have filed the Interlocutory Applications in the year 2017. It is totally abuse of process of law. Therefore, this Court need not wait for arguments to be advanced by the learned counsel for the petitioners and need not go into the merits of the case.

5. Once the petitioners have invoked the jurisdiction under Article 227 of the Constitution of India, the petitioners cannot pursue the applications filed under Order 7 Rule 11 of C.P.C. Therefore, these civil revision petitions are dismissed. However, the petitioners are at liberty to pursue their applications filed under Order 7 Rule 11 of C.P.C., in I.A.Nos.703 to 708 of 2017 and the learned District Munsif, Palani is directed to dispose of the said applications within a period of four weeks from the date of receipt of a copy of this order, by giving notice to both the parties and further, the trial Court is directed to dispose of the suit in O.S.Nos.44,57,58,60,61 and 59 of 2015 within a period of three months thereafter. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Munsif,

<https://hcservices.ecourt.gov.in/hcservices/>



2. The Section Officer, (2 copies)
VR Section,
Madurai Bench of Madras High Court,
Madurai.

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+1cc to Mr.T.Antony Arulraj, Advocate Sr.No.73236
+1cc to Mr.D.Venkatesh, Advocate Sr.No.73192

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VB/SV/SAR2/23.07.2018/6P/6C

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