



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2018

CORAM

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) .No.1196 of 2016 and
C.M.P. (MD) No.5844 of 2016

1. D.Anna Selvam Ammal
2. Dasan
3. Daisy

... Revision Petitioners/Petitioners/
Plaintiffs

Vs.

Selvakani

... Respondent/Respondent/
Defendant

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, against the Judgment and order passed by the learned District Munsif cum Judicial Magistrate, Cheranmahadevi, in I.A.No.605 of 2015 in O.S.No.142 of 2011 passing dismissal order dated 02.02.2016 and set aside the same.

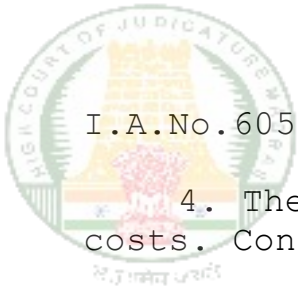
For Petitioners : Mr.S.Krishnan
For Respondent : No appearance.

O R D E R

The plaintiffs in O.S.No.142 of 2011 on the file of the District Munsif cum Judicial Magistrate Court, Cheranmahadevi, are the Revision petitioners herein.

2. It is a suit for permanent injunction. The plaintiffs filed I.A.No.605 of 2015 to examine one Veeraputhiran, the administrator of the temple who is the owner of the land in question. Since the parties claim leasehold right from the temple, the examination of the trustee of the temple is definitely necessary to assist in the process of adjudication.

3. The reasons assigned by the Court below are not correct. Therefore, the order passed by the learned District Munsif cum Judicial Magistrate, Cheranmahadevi, in I.A.No.605 of 2015 in O.S.No.142 of 2011, dated 02.02.2016, stands set aside and



I.A.No.605 of 2015 stands allowed as prayed for.

4. The Civil Revision petition stands allowed, accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar(CS-III)

To

The District Munsif cum Judicial Magistrate,
Cheranmahadevi.

+ 1 CC TO Mr.S.KRISHNAN, ADVOCATE IN SR No. 82028

PMU

TE/PM/SAR-3 : 05/10/2018 : 2P/3C

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