



CRP.(PD).No.608/2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRP.(PD).No.608/2019 and CMP.No.15354/2021

[Video Conferencing]

1.S.Rajendran

.. Petitioner/2nd Plaintiff

Vs.

1.N.Nareshkumar

.. 1st Respondent/1st Plaintiff

2.Balu Mohan Rao

3.Baskar Rao

4.V.Padmaraj

5.Jayamohan

.. Respondents 2 to 5/
Defendants 1 to 4

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the judgment and decree, dated 01.11.2018, made in O.S.No.94/2018, by the learned Principal District Sessions Judge, Thiruvallur.

For Petitioner	:	No appearance
For R1	:	Mr.K.S.Kumar
For R2 and R3	:	Mr.M.Stalin
For R4 and R5	:	Given up

ORDER

(1) This Civil Revision Petition is directed against the order dated 01.11.2018 made in the Memo in O.S.No.94/2018 on the file of the



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learned Principal District Sessions Judge, Thiruvallur.

(2) Brief facts that are necessary for disposal of this Civil Revision Petition are as follows:

(3) From the perusal of materials and pleadings, this Court finds that the Civil Revision Petition is filed vexatiously by a person claiming to be a Power of Attorney agent of the 1st plaintiff in the Suit in O.S.No.39/2017. However, the 1st plaintiff himself in the Suit has admitted before the Lower Court that the Power of Attorney Deed was cancelled long prior to the Suit and the Suit has been filed suppressing the fact.

(4) It is to be noted that the Suit itself was filed for a declaration that the 1st plaintiff, is the owner of the Suit property. When the 1st plaintiff disowned any right, it is obvious that the revision petitioner either must be a land grabber or somebody who tries to grab the property with the ulterior motive.

(5) It is also brought to the notice of this Court that the Suit was dismissed as withdrawn on the basis of the Memo submitted by the 1st plaintiff stating that the Suit is filed with an ill motive without getting instructions from the 1st plaintiff.



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(6) Though the prayer of the Civil Revision Petition has become infructuous, this Court wanted the appearance of petitioner so that this court may pass appropriate directions including registration of a criminal case against the revision petitioner at the instance of the other parties to this Civil Revision Petition.

(7) However, the 1st petitioner has not appeared before this Court. despite notice being sent. Since, non-appearance of petitioner appears to be again an attempt to get over the present situation. This Court, while dismissing the Civil Revision Petition as infructuous, is incline to observe that the conduct of the revision petitioner is fraudulent and that he is liable to be prosecuted for perjury or fraud or any other offence by the interested persons in this litigation or in any other litigation. This observation is required to protect the innocent litigants from such land grabbers like the petitioner who always pose potential threat to the society. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

16.12.2021

cda
Internet : Yes

To
The Principal District Sessions Judge, Thiruvallur.



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S.S.SUNDAR, J.,

cda

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