



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2021

CORAM:

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (MD) .No.1388 of 2021

C.M.P. (MD) .No.7855 of 2021

1.T.M.Loganathan

2.T.M.Balakumar

Revision Petitioners/Petitioners 1 & 2
Respondents 1 & 2//Defendants 3 & 4

vs.

J.J.Sakthmai

Respondent/Respondent/Petitioner/Plaintiff

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 07.04.2021 passed by the V Additional District Judge, Madurai in IA.No.288 of 2020 in IA.No.420 of 2019 in OS.No.219 of 2019.

For Petitioners : Mr.N.Sathish Babu
For Respondent : Mr.S.Rajasekar

O R D E R

This revision petition has been filed to set aside the order dated 07.04.2021 passed by the V Additional District Judge, Madurai in IA.No.288 of 2020 in IA.No.420 of 2019 in OS.No.219 of 2019.

2. IA.No.288 of 2020 was filed by the petitioners to set aside the exparte order passed in IA.No.420 of 2019, which was dismissed by the V Additional District Judge, Madurai on 07.04.2021. IA.No.420 of 2019 was filed by the respondent against the petitioners seeking temporary injunction directing the petitioners not to alienate the property till the disposal of the suit.

3. The petitioners claim right over the property through a Will. The petitioners must prove the Will during trial and get title over the property. Without proving the title, they cannot get right over the property. Therefore, the petitioners are directed to co-operate with the trial.

4. The V Additional District Judge, Madurai is directed to dispose of the suit in OS.No.219 of 2019 within a period of four months from the date of receipt of a copy of the order, if the suit



is ripe for trial. With these observations, this Civil Revision Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mbi

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The V Additional District Judge,
Madurai

+1 CC to M/s.T.LAJAPATHY ROY, Advocate (SR-30617[F] dated 29/09/2021)

C.R.P. (MD) .No.1388 of 2021
28.09.2021

ES (CO)
KB (08.10.2021) 2P 3C