



C.R.P(PD).No.1600 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM :

THE HONOURABLE MS. JUSTICE R.N.MANJULA

C.R.P.(PD).No.1600 of 2022

and

C.M.P.No.8031 of 2022

1.N.Dhanalakshmi

2.S.P.Venkateshwari @ Kutty

... Petitioners

..Vs..

1.N.Banumathi

2.Rajini Devi

... Respondents

Prayer:- Civil Revision Petition is filed under Article 227 of the

Constitution of India, to set aside the order dated 22.02.2021 in I.A.No.3

of 2020 in O.S.No.11 of 2015 on the file of the learned I Additional

District Judge, Coimbatore.

For Petitioners

: Mrs.Sangeetha Rajkumar



C.R.P(PD).No.1600 of 2022

ORDER

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This Civil Revision Petition has been preferred, challenging the order of the learned I Additional District Judge, Coimbatore, dated 22.02.2021 in I.A.No.3 of 2020 in O.S.No.11 of 2015.

2.The revision petitioners are the plaintiffs in the suit. The suit has been filed for the relief of partition. Pending the said suit, the first respondent/first defendant has filed a petition to include some more properties as subject matter of the suit and the same was allowed. Aggrieved over that, the revision petitioners have preferred this revision.

3.The learned counsel for the petitioner submitted that the properties sought to be included are no way connected to the suit and in which the respondents/defendants cannot claim any right.

4.These are matters to be contested by the parties only before the trial Court by way of filing appropriate pleadings and also by letting



C.R.P(PD).No.1600 of 2022

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in evidence at the time of trial. By including certain properties in the particulars of the suit schedule alone will not entitle or dis-entitle their rights of the respective parties over the same, unless their claim is substantiated by relevant materials. Hence, I find no ground for interference.

5. Accordingly, the Civil Revision Petition is dismissed and the order of the learned I Additional District Judge, Coimbatore, dated 22.02.2021 in I.A.No.3 of 2020 in O.S.No.11 of 2015, is hereby confirmed. No Costs. Consequently, connected Miscellaneous Petition is closed.

17.06.2022

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Index: Yes No

Speaking Order: Yes/No



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C.R.P(PD).No.1600 of 2022

R.N.MANJULA,J.

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To

- 1.The I Additional District Judge,
Coimbatore.
- 2.The Section Officer,
VR Section, Madras High Court,
Chennai.

C.R.P.(PD).No.1600 of 2022
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17.06.2022