



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 07.04.2022

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P.(MD).No.520 of 2022
and
C.M.P(MD).No.2246 of 2022

1.Jospin Mary
2.Vincent

...Petitioners/Petitioners/Defendant Nos.6 & 7

Vs.

V.K.Amalraj

...Respondent/Respondent/Plaintiff

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order passed in unnumbered I.A.No.....of 2021 in O.S.No.71 of 2018 on the file of the Additional District Judge, Sivagangai dated 04.01.2022.

For Petitioners : Mr.R.Balakrishnan

O R D E R

This Civil Revision Petition is filed to set aside the order passed in unnumbered I.A.No.....of 2021 in O.S.No.71 of 2018 on the file of the Additional District Judge, Sivagangai dated 04.01.2022.

2.Considering the nature of relief to be granted, issuance of notice to the respondent is dispensed with.

3.The said unnumbered I.A.No.....of 2021 was filed by the revision petitioners/defendants 6 & 7, to appoint a Commissioner, which was returned, as there is no purpose to measure the property and also a rejection of plaint petition was filed and the same is pending.

4.The suit in O.S.No.71 of 2018 was filed for the relief of Declaration and for permanent injunction restraining the defendants in the suit from interfering with his possession and enjoyment of the suit schedule property and for declaration to declare the documents in favour of the defendants as null and void.

5.The petitioners/defendants 6 & 7 have filed an Intervening Application to note down the physical features for the relief claimed in the suit. In the case on hand, the physical features is not at all necessary. Therefore, the trial Court has rightly



rejected the said petition and the learned Additional District Judge, Sivagangai is directed to proceed with the case.

6. With the above observation and direction, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

vsd

To

The Additional District Judge,
Sivagangai.

Order made in
C.R.P. (MD) .No.520 of 2022
and
C.M.P (MD) .No.2246 of 2022
07.04.2022

SS/09.06.2022 : 2P/2C