



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE S. ANANTHI

CRP(MD).Nos. 815 and 816 of 2022 and
CMP(MD).Nos.3293 and 3294 of 2022

K. Packianathan ...Petitioner in CRP.No.815/22

M.Balasubramani ...Petitioner in CRP.No.816/22

Vs.

Badravathi Ammal ...Respondent in both CRPs

Prayer: These Civil Revision Petitions are filed under Article 227 of the Constitution of India to set aside the orders dated 21.01.2022 made in un numbered I.A.No. of 2020 in I.A.No.2266 of 2018 in O.S.No.4 of 1915 on the file of the Principal District Judge, Madurai.

For Petitioner in both CRPs. : Mr. P. Arun Jayatram

COMMON ORDER

The revision petitioners / 3rd parties filed these revisions to set aside the order, dated 21.01.2022 made in un numbered I.A.No. of 2020 in I.A.No.2266 of 2018 in O.S.No.4 of 1915 on the file of the Principal District Judge, Madurai.

2.Heard the learned counsel appearing for the petitioners. Since no adverse order passed against the respondent, no notice is necessary to the respondent.

3. The said suit in O.S.No.4 of 1915 was a scheme decree. According to the scheme decree, the District Court can appoint one of the Trustees for the charities. The paper publication was issued on 28.12.2018 to call for applications for the Trustee and the last date for the application is 10.01.2019. But, the petitioners filed an application only after a period of nine months on 29.09.2020 and their applications were rejected on the ground that it has been filed after a stipulated time. So, the Court below has rightly dismissed the applications.



4. The petitioners counsel has argued that the paper publication is against the scheme decree. If the petitioner wants to question the paper publication, he cannot file a separate suit since the matters are rejected on merits and also barred by stipulated time. The Court below has rightly rejected the applications, and hence, this Court is not inclined to interfere with the orders passed by the Court below.

5. Accordingly, these Civil Revision Petitions are dismissed by confirming the order, dated 21.01.2022 made in un numbered I.A.Nos. of 2020 in I.A.No.2266 of 2018 in O.S.No.4 of 1915 on the file of the Principal District Judge, Madurai. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

To

The Principal District Judge, Madurai.

CRP(MD).Nos. 815 and 816 of 2022 and
CMP(MD).Nos.3293 and 3294 of 2022

11.04.2022

MGJ(22.04.2022) 2P 2C