



C.R.P (MD) No.1242 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 05.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

C.R.P (MD) No.1242 of 2022

and

CMP (MD) No.5085 of 2022

K.Sampoornam(died)

Amirthavalli (died)

1.Sundarraaj

2.Vijayalakshmi

3.Kasthuri

4.Mahalakshmi

5.Rajalakshmi

C.Karuppiya

Vs

... Petitioners

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order made in I.A.No.03 of 2020 in O.S.No.444 of 2011 on the file of second Additional Subordinate Judge, Trichy dated 22.03.2022 by allowing this civil revision.

For Petitioners : No representation



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ORDER

WEB COPY This Civil Revision Petition has been filed as against the order dated 22.03.2022 passed in I.A.No.3 of 2020 in O.S.No.444 of 2011 by the learned Sub Judge, Trichy.

2.The petitioners are the plaintiffs in the above suit, which was filed for declaration and recovery of possession in the year 2011. The plaintiffs' evidence was closed and on the defendants' side, DW1 and DW2 were examined. At the time of cross examination of DW1, the petitioners/ plaintiffs have raised some questions with regard to the passing of the sale consideration in respect of document No.911 of 2009 on the file of the Sub Registrar, Thathaiyangarpettai, but they have not given clear answer. However, the defendants' side evidence was closed and the suit was posted for arguments. At this stage the petitioners have filed an interlocutory application in I.A.No.3 of 2021 for re-opening of the case for the purpose of examining one document writer, namely, S.Kanagaraju, S/o.N.Srinivasan as witness. The trial Court dismissed the said application that both DW1 and DW2 have not deposed



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anything about noticing of passing of sale consideration by the document writer and there is no question raised with regard to the same.

3. When the civil revision petition was taken up for hearing on 02.08.2022, this Court was not inclined to entertain this petition, however, the learned Counsel for the petitioners requested a short accommodation to work out his case and to represent the case. Therefore, the case stood posted on 04.08.2022. However, on 04.08.2022 when the petition was taken up for hearing, there was no representation for the petitioners and therefore, the petition was directed to be posted under the caption for dismissal on 05.08.2022.

4. Accordingly, this petition is listed today under the caption 'for dismissal'. Despite the petition being listed under the caption for dismissal there is no representation for the petitioner and therefore, this civil revision petition stands dismissed. Consequently connected miscellaneous petition also stands dismissed.

05.08.2022

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To

II Additional Sub Judge,
Tiruchirappalli.



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B.PUGALENDHI , J.

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