



CRP (MD) No.2198 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 04.11.2022

CORAM:

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

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1.Panchayee

2.Rajendran

3.Dharman

4.Karuppaiah

... Petitioners

Vs

Periyasamy (died)

1.Bathmavathi

2.Periyammai

3.Pushparaj

4.Krishnasamy

5.Vijayalakshmi

6.Sivakumar

7.Manonmani

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order passed by the Additional Subordinate Judge, Pudukottai in CMA.No.4 of 2019 and allow this petition dismissing IA.No.692 of 2018 in OS.No.459 of 2018 dated 06.02.2019 on the file of the District Munsif Court, Alangudi.



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For Petitioners : Mr.K.Baalasundharam

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ORDER

This civil revision petition is filed as against the order passed in CMA.No.4 of 2019 by the Additional Subordinate Judge, Pudukottai.

2.The appeal in CMA.No.4 of 2019 was preferred by the petitioner/ defendant in OS.No.459 of 2018 as against the orders passed in IA.No.692 of 2018, which was filed to receive additional documents and it was allowed. The appeal in CMA No.4 of 2019 was dismissed as not maintainable due to lack of jurisdiction. Challenging the same, the present civil revision petition is filed.

3.The learned Counsel for the petitioners fairly submits that the appeal in CMA.No.459 of 2018 was wrongly filed before the Additional Sub Judge, Pudukottai and however, the petitioners, shall be granted with liberty to challenge the said order by way of civil revision petition.



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4. In view of the above submissions, this petition is dismissed with liberty to the petitioner as prayed for by him. No costs.

04.11.2022

dsk

To

The Additional Subordinate Judge,
Pudukottai.



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B.PUGALENDHI, J.

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