



CRP(MD).No.499 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2023

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CRP(MD).No.499 of 2023

M.Rajathi

.. Petitioner/Plaintiff

Vs.

1.J.Parameshwari  
2.M.Muthulakshmi  
3.V.Jeyamani  
4.J.Sankar  
5.J.Shanmugam  
6.P.Kattapulli  
7.S.Rakkayee  
8.Rajkumar  
9.A.Chellampillai  
10.J.Rajendran  
11.M.Iyyasamy  
12.P.Alagarsamy  
13.K.M.Vinayagamoorthi

.. Respondents/Defendants

**PRAYER :** Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed in I.A.No.459 of 2019 in O.S.No. 14 of 2015 dated 06.06.2022 on the file of the VI Additional District Judge, Madurai and allow final decree.

For Petitioner : Mr.K.R.Laxman



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## **ORDER**

The present revision petition has been filed challenging an order under which an application for passing of final decree has been dismissed granting liberty to the petitioner to file a fresh final decree application after rectifying the alleged defects in the preliminary decree.

2. In view of the fact that an application for passing a final decree has been dismissed, the revision petition is not maintainable and only a regular appeal is maintainable. The petitioner is either at liberty to file a regular first appeal under Section 96 of the Code of Civil Procedure or he can rectify the alleged defects in the preliminary decree and thereafter, file a fresh final decree application.

3. With the above observation, the Civil Revision Petition stands dismissed. No costs.

**28.02.2023**

Index : Yes / No

Internet : Yes / No

*Rmk*

To  
The VI Additional District Judge, Madurai.



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**R.VIJAYAKUMAR ,J.,**

*Rmk*

Order made in  
**CRP(MD).No.499 of 2023**

Dated:  
**28.02.2023**