



C.R.P.(MD) No.7 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2023

CORAM

THE HON'BLE **MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

**C.R.P.(MD) No.7 of 2020**

and

**C.M.P.(MD) No.13 of 2020**

1.Sivagiri Palanichamy

2.Kavitha

3.Krishnakumar

... Petitioners

Vs.

Thiyagarajan (Died)

1.Muthulakshmi

2.V.R.Ezhilarasi

3.Kalaiyarasi

4.Rama Arul Arasan

5.Mangaiyarkarasi

6.Senthil Oli Arasan

7.Senathipathi

8.Gunasekaran

... Respondents



C.R.P.(MD) No.7 of 2020

This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair order and decreetal order dated 16.10.2019 passed in I.A.No.260 of 2019 in O.S.No.54 of 2009 on the file of the District Munsif Court, Ottanchathiram, Dindigul District.

For Petitioners : Mr.S.Karthik

For R1 to R6 : Mr.D.Venkatesh

For R7 & R8 : Mr.M.O.Thevankumar

### **ORDER**

This Civil Revision Petition is preferred by the proposed parties in O.S.No.54 of 2009, against the impugned order dated 16.10.2019 passed in I.A.No.260 of 2019 on the file of the District Munsif Court, Ottanchathiram, Dindigul District.

2. The petitioners/proposed parties filed I.A.No.260 of 2019 to implead themselves as defendants 3 to 5 in O.S.No.54 of 2009. The said I.A. was dismissed by the Trial Court *vide* impugned order dated 16.10.2019, against which, the above Civil Revision Petition is preferred.

3. While so, the seventh and eight respondents who are the defendants in O.S.No.54 of 2009 preferred a Transfer Petition in Tr.O.P.No.42 of 2021



C.R.P.(MD) No.7 of 2020

before the Principal District Court, Dindigul for joint trial together with O.S.No.404 of 2019 and O.S.No.534 of 2018 pending on the file of the Principal Sub Court, Palani. The said Tr.O.P.No.42 of 2021 was allowed by the Principal District Court, Dindigul *vide* order dated 05.08.2021 and pursuant to the same, O.S.No.54 of 2009 was transferred to the Principal Sub Court, Palani for joint trial.

4. The learned counsel for the petitioners would submit that there is no necessity to proceed with the above Civil Revision Petition since all the above suits are tried simultaneously and there is also no necessity for the petitioners/proposed parties to implead themselves in O.S.No.54 of 2009.

5. In view of the above submissions, this Civil Revision Petition is dismissed as not pressed. No cost. Consequently, connected Miscellaneous Petition is closed.

13.07.2023

NCC :Yes/No

Internet: Yes/No

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To

- 1.The District Munsif Court,  
Ottanchathiram, Dindigul District.
- 2.The Principal Sub Court, Palani.



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C.R.P.(MD) No.7 of 2020

**K.GOVINDARAJAN THILAKAVADI, J.**

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C.R.P.(MD) No.7 of 2020  
and C.M.P.(MD) No.13 of 2020

13.07.2023