



C.R.P.(MD).No.2263 of 2019

-BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

C.R.P.(MD)No.2263 of 2019
and
C.M.P(MD) No.11706 of 2019

1. Kottadurai
2. Tharmaraj
3. Sakthi
4. Muneeswaran
5. Sandru @ Ganesan
6. Murugesan
7. Kannaiya

... Petitioners/Defendants

-vs-

Nagevel

... Respondent/Plaintiff

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the plaint in O.S.No.140 of 2017 on the file of the Sub Court, Ramanathapuram.

For Petitioners : Mr.P.Muthusamy

For Respondent : Mr.C.Jeyaprakash



C.R.P.(MD).No.2263 of 2019

ORDER

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The present Civil Revision Petition has been filed by the petitioners under Article 227 of the Constitution of India, to strike off the plaint in O.S.No.140 of 2017 on the file of the Sub Court, Ramanathapuram.

2. The petitioners herein are the defendants and the respondent herein is the plaintiff before the Court below.

3. For the sake of convenience, the parties will be referred to as per the litigative status before the trial Court. It is pertinent to mention here that this revision petition has been directly filed without there being any impugned order.

4. The learned counsel for the petitioners would submit that, while filing the suit in O.S.No.162 of 2017, the plaintiff therein has suppressed the earlier suit in O.S.No.140 of 2017 filed by the subsequent purchaser of one Thavamani. The learned counsel for the petitioners would further submit that the seller of the suit property viz., Thavamani while filing the suit has suppressed the earlier suit in O.S.No.140 of 2017 and also the suit in O.S.No.



C.R.P.(MD).No.2263 of 2019

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63 of 2016. However, in order to substantiate such grounds, the petitioners have not produced any documents before this Court. In the revisionary jurisdiction the disputed factual aspects could not be gone into. Therefore, this Court finds no merit in this petition.

5. In the result, this Civil Revision Petition is **dismissed**. There shall be no order as to costs. Consequently connected Miscellaneous Petition is closed.

24.08.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To
1. The Sub Court,
Ramanathapuram.



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C.R.P.(MD).No.2263 of 2019

C.KUMARAPPAN,J.

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C.R.P(MD)No.2263 of 2019

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