



C.R.P.(MD)No.181 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P.(MD)No.181 of 2024
and C.M.P.(MD).No.736 of 2024

1.A.P.D.K.Devanand

2.A.P.D.K.Premanand

... Petitioners/Defendants 2 & 5

Vs.

1.Sornashanthi

... 1st Respondent/Plaintiff

2.K.Kanagambujam

3.G.Vasanthi

4.K.Ananthi

5.The Sub Registrar (Registration)

Sub Registrar Office,

Aruppukottai,

Virudhunagar District.

... Respondents/Defendants 1, 3, 4 & 5

PRAYER : Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records relating to the impugned order passed by the learned Additional District Judge, Virudhunagar in O.S.No.20 of 2022, dated 12.09.2023 and set aside the same and direct the 1st respondent/plaintiff to begin the case by let in evidence.



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For Petitioner : Mr.N.Dilipkumar

For Respondents : Mr.B.Jeyakumar for R1

No Appearance for R2 to R4

Mr.J.Ashok for R5
Additional Government Pleader

ORDER

Challenging the order passed by the trial Court dated 12.09.2023, directing the defendants to commence the trial process, this revision petition has been preferred.

2.At the time of moving the petition, the learned counsel for the petitioner submitted that only small portion of the property is covered under Will and not entire properties. According to him, only the plaintiff has to commence the examination of witness and not the defendant. The learned counsel for the plaintiff also admitted their position and submitted that they are willing to commence the trial process.

3.In view of the submissions made by the learned counsel for the first respondent, the direction given by the trial Court, dated 12.09.2023 is hereby set aside. The plaintiff is ordered to commence the trial process



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in this case. Considering the oldness of the matter and considering the fact that all persons are senior citizens, there shall be a direction to the learned Additional District Judge, Virudhunagar, to dispose of the case in O.S.No.20 of 2022, pending on his file immediately, by following the Official Memorandum of this Court in R.O.C.No. 3793A/2010/B5/Statistics, dated 11.08.2010.

4. With the above said directions, this civil revision petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

21.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

1. The Additional District Judge, Virudhunagar.
2. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

3/4



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G.ILANGO VAN,J.

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