



C.R.P.(MD)No.563 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P.(MD)No.563 of 2024
and C.M.P.(MD).No.2757 of 2024

Raja Amalraj @ Rajadurai Amalraj

... Petitioner/Petitioner/
3rd Party

Vs.

Starlet Chellathai (Died)

1.Vasantha Gilaadis

... 1st Respondent/1st Respondent/
Petitioners/Landlords

Sundaraj (Died)

2.Indira

3.Silviya Jeevani

4.Christy Sudha

5.Piyula Sumathi

6.Angel Ranjani

... Respondents 2 to 6/
Respondents 2 to 6/
Respondents 1 to 6/Tenants

PRAYER : Civil Revision Petition is filed under Article 227 of the
Constitution of India, to set aside the docket order dated 31.01.2024

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made in E.A.No.1 of 2024 in E.P.No.3 of 2023 in R.C.O.P.No.2 of 2002
on the file of the District Munsif Court, Sathankulam.

For Petitioners : Mr.B.Arun.

ORDER

This revision petition has been filed against the docket order dated 31.01.2024 made in E.A.No.1 of 2024 in E.P.No.3 of 2023 in R.C.O.P.No.2 of 2002 on the file of the District Munsif Court, Sathankulam.

2.Even though the petitioner's counsel submitted that if the delivery is ordered and also effected, his right will be affected. But perusal of the order passed by the Executing Court shows that the petitioner has not established his right over the property. But, however, it is seen that O.S.No.194 of 2023 is pending before the Principal District Court, Thoothukudi, which is suit for partition, in which, the decree holder in R.C.O.P.No.2 of 2002 namely Vasantha Gladis Daisy is arrayed as 6th defendant. So far Starlet Chellathai is concerned, she is reported to be dead. Her legal heirs are brought on record in the suit. In view of the above, the petitioner has to workout his remedy in the pending suit itself.



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

18.03.2024

Index : Yes / No
Internet : Yes / No
TM

To

1. The Principal District Judge, Thoothukudi.
2. The District Munsif, Sathankulam.
3. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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