



C.R.P. (PD) (MD) No.505 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

C.R.P.(PD) (MD) No.505 of 2020

1.K.Saleem

2.K.Haleem

3.K.Haseena Banu

4.K.Nayeem

5.K.Shaina Banu

... Petitioners/Petitioners/
Defendants

Vs.

M.Chandh Ushmani

... Respondent/Respondent/
Plaintiff

Prayer: Petition filed under Article 227 of the Constitution of India to set aside the fair and ex-order dated 18.09.2019 passed in Unnumbered petition in I.A.(SR) No.14914 of 2019 in O.S.No.146 of 2018 on the file of the I-Additional District Court, Madurai.

For Petitioners : Mr.M.Ponniah

For Respondent : Mr.R.Suryanarayanan



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ORDER

This civil revision petition is filed seeking a direction to the learned trial Court to take I.A.(SR) No.14914 of 2019.

2. The said interlocutory application appears to have been filed by the petitioners under Section 340 Cr.P.C. alleging that certain documents were brought into existence after the demise of the persons, who are shown to have executed such documents. However, the said interlocutory application was returned by the learned trial Court with certain objections. The petitioners, instead of re-submitting the said interlocutory application with proper answer, approached this Court by filing the present civil revision petition.

3. It is totally inappropriate to entertain the present civil revision petition under Article 227 of the Constitution of India in the absence of any judicial order passed by the learned trial Court. Accordingly, this Civil



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Revision Petition is dismissed, leaving it open to the petitioners to re-submit I.A.(SR) No.14914 of 2019 within a period of two weeks from today. In case, the same is re-submitted by the petitioners, the same shall be considered by the learned trial Court in accordance with law. No costs.

13.02.2024

Note: Original petition, if any, filed along with the civil revision petition be returned to the learned counsel for the petitioners for re-submitting the same before the learned trial Court.

NCC : Yes/No

Index : Yes/No

Internet : Yes

ABR

To

The I-Additional District Judge,
Madurai.



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MUMMINENI SUDHEER KUMAR, J.

ABR

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