



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 15.07.2024

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**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

C.R.P(MD)No.1038 of 2022

Seetharaman

..Petitioner/Plaintiff

Vs.

1. Sudharani

2.Suganya

3. The Sub Registrar

Sub Registrar Officer Joint 1 and 2

Cantonment, Trichy

..Respondents/Defendants

Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order passed by the Principal Subordinate Judge, Trichy, Trichy District in Unnumbered suit in O.S. No.(S.R.No. 976/2018)/2018 dated 26.11.2018.

For Petitioner

For R1& R2

For R3

:Mr.M.Pitchaimuthu

:Mr.B.Jameel Arasu

:Mr.J.K.Gunaseelan



ORDER

The Civil Revision petition is filed to set aside the order passed by the Principal Subordinate Judge, Trichy, in unnumbered O.S.No.(S.R.No. 976/2018)/2018 dated 26.11.2018.

2.By the said order, objection has been raised by the trial Court that the third defendant in the suit viz., the Sub-Registrar, Sub Registrar Office Joint 1 & 2, Trichy, is not a necessary party to the suit. Aggrieved by the same, the present civil revision petition is filled.

3.When the matter came up for arguments today, the learned counsel for the petitioner would submit that he is not pressing the grounds raised in the Civil Revision Petition and would take the return of plaint and would represent the same by deleting the name of the third respondent before the trial Court. Accordingly, the Civil Revision petition is disposed on the following terms:

(i)The suit plaint and other original records, which are filed along with the Civil Revision Petition, is directed to be returned to the learned counsel for the petitioner by the Registry;



(ii) Upon receipt of the same, within two weeks there from, the petitioner will be entitled to re-present the same by removing the third defendant and filing such clean copy of the plaint;

(iii) Upon re-presentation, the trial Court shall consider the suit to be re-presented within time and further process the same for numbering in accordance with law.

(iv) No costs.

15.07.2024

NCC: Yes/No
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To

The Principal Subordinate Judge,
Trichy,
Trichy District.



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C.RP(MD)No. 1038 of 2



D.BHARATHA CHAKRAVARTHY, J.

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