



C.R.P.(MD)No.1885 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**Dated : 12.08.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

C.R.P.(MD)No.1885 of 2024

and

C.M.P.(MD)No.10692 of 2024

1.O.V.Krishnasamy

2.Vimala

...Petitioners/Respondents/Plaintiffs

Vs.

Ramachandran (Died)

1.R.Dhanam

2.R.Somasundaram

3.R.Ramesh

4.R.Senthil

5.R.Maheswaran

6.R.Alamelu

... Respondents/Petitioners/Defendants

**Prayer:** Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 10.02.2023 passed in I.A. No.197 of 2023 in OS No.222 of 2017 on the file of the Additional Sub Judge, Kumbakonam.



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For Petitioners : Mr.M.Prabhu

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## **ORDER**

The plaintiffs in O.S.No.222 of 2017 on the file of the the Additional Sub Court, Kumbakonam are the revision petitioners herein. The suit is one for declaration and permanent injunction. The plaintiffs appear to have concluded their evidence on 05.09.2018 itself. The matter has been prolonged because of the death of the original defendant. At this stage, the defendants filed I.A.No.197 of 2023 for reopening the case and recall of P.W.1.

2.Since discretion has been exercised in favour of the defendants, in exercise of jurisdiction under Article 227 of the Constitution of India, I do not want to interfere.

3.The Court below shall dispose of the suit on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order. I have not gone into the merits of the matter.



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4. The civil revision petition is dismissed with the aforesaid direction. No costs. Consequently, connected miscellaneous petition is closed.

**12.08.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
ias

**To:**

The Additional Sub Court,  
Kumbakonam.



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**G.R.SWAMINATHAN, J.**

ias

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