



C.R.P(MD)No.1924 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P(MD)No.1924 of 2024

Thangalet

... Petitioner / Petitioner /
Petitioner / Plaintiff

Vs.

Retna Raj (Died)

1.Sundara Raj

2.Bright Let

3.Hessylet

4.Saroja

5.Suresh Kumar

6.Christy Latha

7.Christy Chandra

8.Alvin Kumar

***(Respondents 4 to 7 called absent
in lower Court. Respondents 4 to 7
Given up in C.R.P)***

... Respondents / Respondents /
Respondents / Defendants



C.R.P(MD)No.1924 of 2024

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order and decretal order in I.A.No. 1 of 2023 in I.A.No.951 of 2011 in O.S.No.119 of 2006 dated 18.01.2024 on the file of the Principal District Munsif, Padmanabhapuram by allowing the Civil Revision Petition and there by direct the Court below to make necessary corrections regarding the owelty amount in the final decree proceedings in I.A.No.951 of 2011 in O.S.No.119 of 2006 dated 21.01.2023.

For Petitioner : Mr.G.Cenil

For Respondents : Mr.Senthil Kumar
M/s.Aran Legal Consultancy for R.8

No Appearance for R.1 to R.3

R.4 to R.7 - given up

ORDER

The plaintiff in O.S.No.119 of 2006 on the file of District Munsif Court, Padmanabhapuram is the revision petitioner herein. The suit was for partition. Preliminary decree was passed. Thereafter, I.A.No.951 of 2011 was filed for passing final decree. Final decree was also passed. Seeking review of quantum of owelty amount, I.A.No.1 of 2023 was filed. It was dismissed vide order dated 18.01.2024. Questioning the same, this Civil Revision Petition came to be filed.



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2.The learned counsel for the revision petitioner reiterated all the contentions set out in the memorandum of the civil revision petition. He called upon this Court to set aside the impugned order and grant relief as prayed for.

3.I am not swayed by the said submissions. As rightly pointed out by the Court below and the learned counsel for the respondents, the review petition itself is not maintainable. The revision petitioner had endorsed no objection in the final decree petition based on which the allotment was made. Having given her consent, it is not open to the plaintiff to seek review of the order. The Court below was justified in dismissing the Interlocutory Application. Interference is not warranted.

4.This Civil Revision Petition stands dismissed. There shall be no order as to costs.

25.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

MGA

To

The Principal District Munsif,
Padmanabhapuram.

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