



C.R.P(MD)No.2276 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P(MD)No.2276 of 2024
and
C.M.P(MD)No.12899 of 2024

1.S.Saravanan
2.S.Renuga
3.S.Selvi

... Petitioners /
Petitioners /
Defendants

Vs.

1.M.Dhanalakshmi
2.A.Rajapunnisha
*(Represented through her
power agent of Attorney
M.Dhanalakshmi / first
respondent herein)*

... Respondents /
Respondents /
Plaintiffs

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 18.06.2024 by the learned First Additional District Judge, Madurai in I.A.No.5 of 2024 in O.S.No.217 of 2019.

For Petitioners : Mr.V.Nagendran



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For Respondents : Mr.B.Rooban
for R.1

ORDER

Heard both sides.

2.The defendants in O.S.No.217 of 2019 on the file of I additional District Judge, Madurai are the revision petitioners herein. They filed I.A.No.5 of 2024 for ordering service by newspaper advertisement for causing appearance of the husband of the plaintiff. The said IA was dismissed vide order dated 18.06.2024. Questioning the same, this Civil Revision Petition came to be filed.

3.The learned counsel for the revision petitioners reiterated all the contentions set out in the memorandum of grounds of Civil Revision Petition and called upon this Court to set aside the impugned order and allow the Civil Revision Petition as prayed for.

4.I am not swayed by the submissions of the learned counsel for the revision petitioners. As rightly pointed out by the learned counsel for



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the plaintiffs, the approach of the revision petitioners appears to be to indefinitely drag on the proceedings. The Court below has given a finding that the defendants have filed this IA when the matter was posted for defendants' evidence. The court below has rendered a further finding by considering the nature of the suit and defence taken by the revision petitioners in the written statement, the evidence of the proposed witness does not appear to be at all necessary. Such a finding has already been rendered in I.A.No.4 of 2023. The Court below has also given a further finding that the petition appears to have been file only to drag on the proceedings. Interference with the impugned order is not warranted.

5.This Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

29.10.2024

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

MGA

To

The First Additional District Judge,
Madurai.

C.R.P(MD)No.2276 of 2024
and
C.M.P(MD)No.12899 of 2024

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