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C.R.P.(MD)No.2422 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2422 of 2024 and
C.M.P.(MD)No.13641 of 2024

R.Sarguru

... Petitioner /Petitioner/
1st Defendant

Vs.

1. T.A.R.Ayyalusamy

... Respondent /1st Respondent/
Plaintiff

2. The Sub Registrar,
Theni Sub Registrar Office,
No.56, N.R.T.Main Road,
Theni.

3. The District Collector,
Collectorate Buildings,
Madurai Main Road,
Theni District,
Theni.

... Respondents / Respondents 2 & 3/
Defendants 2 & 3

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 19.06.2024 passed in I.A.No.4 of 2024 in O.S.No.210 of 2022 on the file of the Subordinate Judge, Theni.



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C.R.P.(MD)No.2422 of 2024

For Petitioners : Mr.A.B.Prabhakar
For R-2 & R-3 : Mr.K.Balasubramani,
Special Government Pleader.

ORDER

Heard the learned counsel appearing for the revision petitioner and the learned Special Government Pleader appearing for respondents 2 and 3.

2. The revision petitioner is figuring as the first defendant in O.S.No.210 of 2022 on the file of the Sub Court, Theni. The petitioner filed I.A.No.4 of 2024 for rejection of plaint. It was dismissed vide order dated 19.06.2024. Challenging the same, this civil revision petition came to be filed.

3. The learned counsel appearing for the petitioner points out that the plaintiff had executed settlement deed in respect of the suit property in favour of the revision petitioner as early as on 24.03.2008. He points out that after a gap of 14 years, the plaintiff has filed a suit for declaration that the settlement deed is null and void.



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4. The petitioner's contention sounds attractive. However, I am of the view that the impugned order does not warrant interference. Considering the facts and circumstances of this case, I direct the learned trial Judge to dispose of the suit in O.S.No.210 of 2022 on merits and in accordance with law within a period of six months from the next hearing date. This civil revision petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

16.10.2024

Index : yes/No
Internet: Yes/No
PMU

To

1. The Subordinate Judge,
Theni.
2. The Sub Registrar,
Theni Sub Registrar Office,
No.56, N.R.T.Main Road, Theni.
3. The District Collector,
Collectorate Buildings,
Madurai Main Road,
Theni District, Theni.



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G.R.SWAMINATHAN,J.

PMU

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