



C.R.P.(MD)No.128 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P.(MD)No.128 of 2024
and C.M.P.(MD).No.565 of 2024

1.Santhi

2.Valarmathi

... Petitioners/Petitioners/Plaintiffs

Vs.

Abdul Guthoos (Died)

1.Kamal Batcha

2.Hyrunnisha Beevi

3.Abdul Munap

... Respondents/

Respondents No.2 to 4/Defendants No.2 to 4

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 27.09.2023 made in I.A.No.6 of 2023 in O.S.No.42 of 2015 on the file of the learned Additional District Munsif, Lalgudi.

For Petitioner : Mr.C.Abul Kalam Azad

For Respondents : Mr.P.Thiyagarajan for R1 to R3



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ORDER

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Challenging the order of dismissal passed by the trial Court, this revision has been preferred by the petitioner.

2.The learned counsel for the respondent would submit that the order for the trial Court does not require any interference, since admittedly, the amendment application was filed at the time of commencement of trial, i.e., after PW1 chief was filed. The second ground is that they are now changing the entire scenario with regard to the relationship and ownership of the property. According to him, if the petitioners want to file a fresh suit they can get liberty from the concerned Court only.

3.The learned counsel for the petitioner would submit that liberty may be granted to him to approach the trial Court seeking relief as mentioned above.

4.If such an application is filed by the petitioner herein, it may be decided on its own merits by the trial Court and dispose the same within



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a period of two months thereafter.

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4. With the above said liberty this petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

07.02.2024

Index : Yes / No
Internet : Yes / No
TM

To

1. The Additional District Munsif, Lalgudi.
2. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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