



C.R.P(MD)No.3173 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.12.2024

CORAM :

THE HONOURABLE Mrs. JUSTICE K.GOVINDARAJAN THILAKAVADI

**C.R.P(MD)No.3173 of 2024
and
C.M.P(MD)No.18271 of 2024**

P.Koyilan @ Kumaresan

... Petitioner / 5th Defendant

Vs

1.P.Shanmugavalli

2.Athilakshmi

3.P.Packiyalakshmi

... Respondents / Plaintiffs

4.Valarmathi

5.C.Kavitha

6.C.Sangeetha

7.C.Ajithkumar

... Respondents / Defendants 1 to 4

PRAYER : Civil Revision Petition is filed under Section 115 of C.P.C., to set aside the impugned return order passed in unnumbered IA No.-- of 2024 in O.S.No.280 of 2020 dated 25.11.2024 on the file of the Vth Additional District Court, Madurai, by allowing this Civil Revision Petition.



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For Petitioner : Mr.R.Iyappan

ORDER

The present Civil Revision Petition is preferred against the return order passed in the unnumbered I.A., filed in O.S.No.280 of 2020 dated 25.11.2024 on the file of the V Additional District Court, Madurai.

2. According to the revision petitioner, the revision petitioner is the fifth defendant in the above suit. Respondents 1 to 3 as plaintiffs filed the above said suit for declaration and for partition. In the suit, the revision petitioner took out an application seeking permission of the trial Court to file additional written statement on his side. The said application was resisted on the side of the respondents. The trial Court dismissed the said application. Aggrieved by this, the present Civil Revision Petition is preferred.

3. It is seen that the trial Court has rejected the application before numbering and that the Vth Additional District Court, Madurai, is



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directed to number the said application and dispose the same on its own merits in accordance with law.

4. With the above direction, this Civil Revision Petition stands allowed. Registry is directed to return the original papers to the petitioner by substituting the same with a certified photocopy. No costs. Consequently, connected miscellaneous petition stands closed.

19.12.2024

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To

- 1.The Vth Additional District Court, Madurai.
- 2.The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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K.GOVINDARAJAN THILAKAVADI, J.

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