



C.R.P.(MD)Nos.519 and 520 of 2024

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DATED: 27.02.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)Nos.519 and 520 of 2024

and

C.M.P.(MD)No.2593 of 2024

1. Dhinakarapandian

Poomayilthai (died)

2. Akilandeewari

3. Chandrakala

4. Siriya Alagupandian

... Petitioners in
both petitions

Vs.

1. Muthurathinam Ammal

2. Nagajothi

3. Deivarani

4. Manikandan

5. Vasuki

6. Indhirani

7. Indhirani Ammal



C.R.P.(MD)Nos.519 and 520 of 2024

Ukkirapandian (Died)

8. Viji Anandhi

9. Anandhi Priya

10. Ganesan

... Respondents in
both petitions

Common Prayer : These Civil Revision Petitions filed under Article 227 of the Constitution of India, to set aside the fair orders and decreetal orders dated 12.09.2023 made in I.A.Nos.5 of 2023 and 6 of 2023 in O.S.No.27 of 2018 on the file of the Additional District Judge, Virudhunagar and allow the Civil Revision Petitions as prayed for.

(in both petitions)

For Petitioners : Mr.R.Selvaraj

COMMON ORDER

These Civil Revision Petitions are directed against the orders passed in I.A.Nos.5 and 6 of 2023 in O.S.No.27 of 2018 dated 12.09.2023 on the file of the Additional District Court, Virudhunagar, dismissing the applications to recall P.W.1 and reception of document under Order 7 Rule 14(3) of the Code of Civil Procedure.

2. The revision petitioners as plaintiffs have filed the above suit for partition. When the suit was in part-heard stage, the above applications came to be filed to recall P.W.1 and for reception of mortgage deed.



C.R.P.(MD)Nos.519 and 520 of 2024

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3. The learned counsel appearing for the revision petitioners would submit that the document in question is a material document, but in the affidavit filed in support of the above application, they have not averred the purpose or relevancy for producing the document at this stage of suit. Even according to the revision petitioners, they have not raised any pleadings with respect to the said document in the plaint. The leaned trial Judge, considering the above, has rightly dismissed the applications. Hence, this Court concludes that the revisions are devoid of merit and the same are liable to be dismissed.

4. In the result, these Civil Revision Petitions are dismissed. Since the suit is pending from 2018 onwards, the learned Additional District Judge, Virudhunagar, is hereby directed to complete the trial in O.S.No.27 of 2018 and dispose of the same within a period of four months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is closed. No costs.

27.02.2024

NCC :yes/No
Index :yes/No
Internet:yes/No



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K.MURALI SHANKAR,J.

csn

To

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

Order made in
C.R.P.(MD)Nos.519 and 520 of 2024
and
C.M.P.(MD)No.2593 of 2024

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