



C.R.P.(MD)No.17 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P.(MD)No.17 of 2024

D.S.Malarkodi ... Petitioner/1st Respondent/Plaintiff

Vs.

1.P.Suresh Kumari ... Respondent/Petitioner/3rd Party

2.Leelavathi

3.Vasantha

4.Chandra

5.Jamuna Rani

6.Rajasekar

7.Ravichandran

... Respondents 2 to 7/Defendants

PRAYER : Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 28.07.2023 in I.A.No.5 of 2022 in I.A.No.3 of 2022 in O.S.No.23 of 2020 on the file of the learned III Additional District Judge, Tiruchirappalli.

For Petitioner : Mr.T.Ganapathi Subramanian



C.R.P.(MD)No.17 of 2024

ORDER

WEB COPY

This revision petition has been filed to set aside the fair and decreetal order dated 28.07.2023 in I.A.No.5 of 2022 in I.A.No.3 of 2022 in O.S.No.23 of 2020 on the file of the learned III Additional District Judge, Tiruchirappalli.

2.Suit in O.S.No.23 of 2020 was filed by this petitioner seeking the relief of specific performance and consequential reliefs. Pending the above said trial process, the third party namely Suresh Kumari filed a petition in I.A.No.3 of 2022 to implead herself as party defendant. So, for deciding that petition he wants to mark certain documents. For that purpose she filed I.A.No.5 of 2022, seeking leave of the Court to condone the delay. That came to be allowed by the trial Court. Against which, this revision has been preferred.

3.The learned counsel for the petitioner would submit that the issue is only with regard to the legal heirs of the proposed party, for which, the above said documents are not necessary. Apart from that he also stated that those documents are anti dated documents. Whatever



C.R.P.(MD)No.17 of 2024

objections, that the petitioner it may be made at the time of marking the documents. This revision has been filed absolutely without any ground. I did not find any reason to entertain this petition. This petition deserves to be dismissed. However, liberty is granted to the petitioner to make objection at the relevant point of time.

4.With the above said liberty, this civil revision petition stands dismissed. No costs.

08.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

1.The III Additional District Judge, Trichy.

2.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



C.R.P.(MD)No.17 of 2024

G.ILANGO VAN,J.

TM

C.R.P.(MD)No.17 of 2024

08.02.2024