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CRP No.5235 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No.5235 of 2025
and CMP No.26365 of 2025

1.K.M.Sahabudeen
2.M.Ibrahim

... Petitioners

(Cause title accepted vide court order
dated 15.10.2025 made in CMP No.
22845 of 2025 in CRP SR No.134359
of 2025)

Vs

N.Lakshmi Bai (died)

1.N.Vasanthi
2.N.Sasikala
3.N.Kjumar Malavey
4.Sobha Malavey
5.Jothi Malavey
6.N.Yeshwant Rao

N.Babuji (died)

7.S.Sanjaykumar
8.Tmt.G.Manjula
9.Gopu Sridhar
10.M.Feroz
11.C.Basheer
12.Haji M.Chella Rowther
13.Haji M.Muthu
14.A.Natarajan
15.A.Subramanian
16.A.Palanisamy



- 17.A.Arumugham
- 18.P.Thangam
- 19.M.M.Mohammed Sulaiman
- 20.M.M.Muhammed Hakkim
- 21.M.Basheer
- 22.Abubacker Siddique
- 23.M.Muhammed Ismail
- 24.Raja Mohammed
- 25.Rahmad Nisha
- 26.Azak Ali
- 27.K.M.Shahabudeen
- 28.M.Ibrahim
- 29.N.Ravi
- 30.R.Ranjani
- 31.Nalini
- 32.Asokaa
- 33.Asha

... Respondents

Revision filed under Article 227 of the Constitution of India challenging the Docket Order dated 02.04.2025, passed in O.S.No.368 of 2014 on the file of III Additional District Judge, Coimbatore.

For Petitioners : Mr.N.Krishnakumar

For Respondents : Mrs.Saravana Porchelvi
For R.1 and R.2

ORDER

Heard the learned counsel for the petitioners and the learned counsel for the respondents 1 and 2.



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2. The defendants 23 and 24 in O.S.No.368 of 2014 are the revision petitioners. The trial Court passed an exparte order against the revision petitioners/defendants 23 and 24. However, this Court, in CMA No.3315 of 2024 by order dated 02.01.2025 set aside the exparte order passed against these revision petitioners on condition that cost of Rs.20,000/-(Rupees Twenty Thousand Only) to be paid to the first respondent/plaintiff. However, instead of paying cost to the first respondent/ plaintiff, the cost was paid to the counsel before the trial Court and therefore, treating it as non-compliance of the order of this Court, the trial Court has not allowed the petitioners to participate in the trial and holding that they continue to remain exparte. The said order is under challenge in the present revision.

3. On the last hearing after hearing the counsel for the parties, this Court directed the learned counsel for the petitioners to take a fresh Demand Draft for Rs.20,000/-(Rupees Twenty Thousand Only) favouring the first respondent/plaintiff.

4. Today, A Demand Draft dated 04.11.2025, issued by Bank of Baroda, Chennai has been taken in the name of the first respondent viz., N.



Vasanthi and the same is handed over to the learned counsel for the first respondent.

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5. In view of the above, the payment is treated as compliance of the orders passed by this Court dated 02.01.2025 and the exparte order passed against the petitioners is set aside.

6. The respondents have already filed their written statement. The trial Court shall frame additional issues, if necessary, within a period of one week from the date of receipt of a copy of this order and shall endeavor to expedite the trial and shall dispose of the suit in O.S.No.368 of 2014 on merits and in accordance with law by end of February 2026.

7. With the above direction, the civil revision petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

05.11.2025

Index:yes/no
Website:yes/no
Speaking Order/Non-Speaking Order
sr



To

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The III Additional District Court, Coimbatore



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P.B.BALAJI.,J

SR

C.R.P.No.5235 of 2025

05.11.2025