



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CMP.No.23116 of 2025

in CRP.No.3438 of 2025

& CMP.No.23113 of 2025

1.C.Chitrakala @ Chitralekha
2.C.Vishnu Prabhu
3.C.Sathyaprakash

... Petitioners

Vs.

1.R.Kalaivani
2.Rangayanaki
3.P.Anitha
4.C.K.Jalaja
5.Anuradha
6.V.Senthil Sudharshan

... Respondents

Prayer: Civil Miscellaneous Petition filed under Order 41 Rule 21 of CPC, to recall the order dated 05.08.2025 in CRP.No.3438 of 2025 whereby the Lower Court was directed to dispose of the final decree applications within three months.

For Petitioners : Mr.M.Santhanaraman

For Respondents : Mr.C.Veera Raghavan for R1



ORDER

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This Civil Miscellaneous Petition has been filed to recall the order dated 05.08.2025 in CRP.No.3438 of 2025, directing the Lower Court to dispose of the final decree applications within three months.

2.Heard Mr.M.Santhanaraman, learned counsel for the petitioners and Mr.C.Veeraraghavan, learned counsel for the 1st respondents.

3.The order dated 05.08.2025 in CRP.No.3438 of 2025 is sought to be recalled on the ground that the present applicants have filed a special leave petition before the Hon'ble Supreme Court in SLP.(Civil).D.No.33751 of 2017 and the Hon'ble Supreme Court, while dismissing the special leave petition, granted liberty to the applicants to move a review before this Court, within a period of 30 days.

4.According to the learned counsel for the petitioners, the review application has also been filed within the said period of 30 days. However, the review has not been heard, since a Special Bench has to be constituted. According to the learned counsel for the petitioners, he has been giving



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letters to the Registry to list the review application for hearing, however, he has not been successful so far. He would therefore seek for further time to be extended, to enable the applicants to work out their right in the pending review application. He would therefore state that in view of the directions, the order in CRP dated 05.08.2025 is now proceeding on a day to day basis.

5.Per contra, learned counsel for the 1st respondent states that the review has been filed way back in the year 2018. For the past seven years, the petitioners have not shown any interest to have the review listed and the parties, one after the other have died, pending the proceedings and therefore, the petitioners have approached the Court seeking for expeditious disposal of the final decree application.

6.I have carefully considered the submissions advanced by the learned counsel on either side.

7.In fact, even in my order dated 05.08.2025, I have recorded the fact that in view of the Hon'ble Supreme Court having granted liberty to file a review in the year 2017 and the review has been pending from 2018 and the



same has not been processed till date, I had directed the final decree application to be disposed of, on merits, within a period of three months.

8. The learned counsel for the petitioners would invite my attention to the order in I.A.No.7 of 2022 dated 20.01.2023, where an application for transposition was ordered in I.A.No.7 and 2022 and the Court has allowed the application subject to the condition that the release deed dated 26.09.2020 ought to be proved in the manner known to law and that the share of the 1st respondent would be subject to final outcome of the order of the High Court in the review application. Even the said order dated 20.01.2023 does not in any way prevent the enquiry proceedings in the final decree application. The Court has only reserved the right of the 1st respondent subject to the order in the review application, pending before this Court. If at all the applicants are really interested in prosecuting the review, it is for them to take expeditious steps to have the same listed by moving the Registry of this Court. In view of the fact that the petitioners have already given representations to the Registry of this Court, I am inclined to extend the time by further four months from today.



9. In view of the above, the CMP.No.23116 of 2025 is hereby ordered.

Consequently, the main civil revision petition in CRP.No.3438 of 2025 is

partly allowed. Connected CMP.No.23113 of 2025 is closed. No costs.

23.09.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

Internet : Yes / No

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To

The I Additional District Court, Coimbatore.



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P.B. BALAJI,J.

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