



C.R.P.No.5901 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

C.R.P.No. 5901 of 2025

1. G.Muniraj

...Petitioner

Vs

1. Lakshmi

2. Seenivasan

3. M.Thilagavathi

4. M.Pathmavathi

5. M.Harikrishnan

6.The Tahsildar,
Ayanavaram Taluk.,
Chennai - 600 032.

...Respondents



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PRAYER: This Civil Revision Petition filed under Section 115 of CPC, praying to set aside the fair and decreetal order dated 10.11.2025 passed in I.A.No.3 of 2023 in O.S.No.6629 of 2015, on the file of the II Assistant City Civil Court, Chennai and allow the civil revision petition.

For Petitioner : Mr.S.Ramesh Kumar
for Dr.A.Thiyagarajan, Senior Counsel

For Respondents : Mr.T.Karthick Srinath
for M/s.K.M.Vijayan Associates
for R1 to R5
Mr.N.Muthuvel,
Government Advocate
for R6

ORDER

Heard Dr.A.Thiyagarajan, learned Senior Counsel appearing for the petitioner and Mr.T.Karthick Srinath, learned counsel for R1 to R5 and Mr.N.Muthuvel, learned Government Advocate appearing for R6.

2. The revision petitioner challenges the order of the trial Court granting leave to the respondents.



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3. After elaborately hearing Dr.A.Thiyagarajan, learned Senior Counsel appearing for the petitioner, it is seen that though the revision petitioner had obtained a legal heirship certificate pursuant to initiation of legal proceedings before this Court by way of writ petition, the Senior Counsel submits that as on date, the Revenue Authority has set aside the legal heirship certificate issued by the Tahsildar in the appeal proceedings and there is no necessity for the petitioner to seek leave to participate in the decree passed in the O.S.No.6629 of 2015.

4. The learned counsel for the respondents has also brought to my notice that in the writ petition filed by the writ petitioner himself in W.P.No.28882 of 2016 subsequent to the *ex parte* decree passed on 11.02.2016, this Court has come down heavily on the trial Court having granted an *ex parte* decree without the revision petitioner satisfying that he is the legal heir of the deceased. Even otherwise, he has also brought to my notice, that the parties are at issue with regard



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to their respective status in a pending civil suit before this court in C.S.No.170 of

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2019 and that trial is also concluded in the said suit.

5. In the light of the above, the rights of the respective parties shall be adjudicated in the said civil suit and there is no necessity to relegate the parties to multiple litigation by the respondents seeking to reopen the *ex parte* decree passed in O.S.No.6629 of 2015. This is more so relevant in the context of the submissions of Dr.A.Thiyagarajan, learned Senior Counsel for the petitioner that the petitioner's legal heirship certificate is not subsisting as on date and has been set aside. Subject to the decision in C.S.No.170 of 2019, it shall be open to the parties to approach the Revenue Authority seeking fresh legal heirship certificate. Accordingly, this civil revision petition is disposed of. No costs.

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Index:Yes/No

Speaking/Non-speaking order

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Internet: Yes

Neutral Citation: Yes/No
ssa

To

1. The Tahsildar

Ayanavaram Taluk,
Chennai - 600 032.



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P.B.BALAJI J.

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