



C.R.P. No.220 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P. No.220 of 2019 and
C.M.P. No.1712 of 2019

1.Tmt.J.Savithiri
S.D.Jayaprakash (Died)

2.J.Sabarinathan

... Petitioners

Vs

K.Shanmugasundaram (died)

1.Selvaraj
2.Singaravelan
3.Sreenivasan
4.S.Kamatchi
5.Vijayalakshmi
6.Vetriselvan
7.Tmt.Krishnaveni

... Respondents

Prayer: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure to set aside the judgment and decree dated 25.11.2013 made in E.A. No.912 of 2007 in E.P. No.257 of 2007 now re-numbered as 31 of 2014 in O.S. No.899 of 1991 on the file of Principal Subordinate Judge, Coimbatore.



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For Petitioner : Mr.K.M.Gowtham
for Mr.S.Karthikai Balan

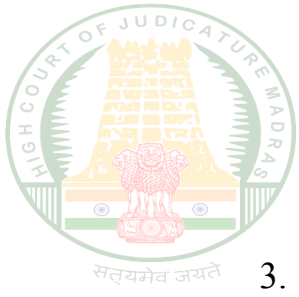
For Respondents : Mr.L.Mouli for R1 to R5

ORDER

In C.R.P. No.3980 of 2014 dated 19.09.2023, in paragraph 7, this court had passed the following order:

"7. Respectfully following this judgment and applying the principle of Hindu Law to the present case, I am not in a position to sustain the decree for partition as the same is contrary to law. No joint family claim arises when the property claimed descends through a female. Consequently, the judgment and decree in O.S. No.899 of 1991 dated 06.08.1997 is set aside"

2. As this court has set aside the judgment and decree passed in O.S. No.899 of 1991 and the present civil revision petition was filed challenging the order arising out of E.A. No.912 of 2007 in E.P. No.257 of 2007 now re-numbered as 31 of 2014 in O.S. No.899 of 1991, has no statutory akin. The same is recorded. In view of the same, nothing survives for adjudication in the present civil revision petition.



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3. Accordingly, the civil revision petition is closed. No costs.

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Consequently, the connected civil miscellaneous petition is also closed.

14.03.2025

Index : Yes / No

Neutral Citation : Yes / No

Asr

To

The Principal Subordinate Judge, Coimbatore



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N.SENTHILKUMAR, J.

Asr

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