

C.R.P.(PD)(MD).No.90 & 91 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)Nos.90 & 91 of 2021

and

C.M.P.(MD)Nos.613 & 612 of 2021, 1320, 1322 to 1324, 1327, 1329, 1330
and 1332 of 2024

C.R.P.(MD)No.90 of 2021:

M.Selvin

... Petitioner

Vs.

- 1.L.Paranjothi
- 2.Rajasekaran
- 3.Saroja
- 4.Kasthuri
- 5.Mary Meena
- 6.Nirmala

Dhanalakshmi (died)

7.Suguna Chicken Daily Fresh

8.Sriram Finance Jewelry Pawn Shop,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.



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- 9.Rahmath Sweets,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.
- 10.Nagar (Best) Barotta Shop,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.
- 11.Kamal Hospital,
Through its Proprietor,
Dr.M.Kalirajan,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk, Dindigul District.
- 12.Siva Agencies,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.
- 13.Sri Vigneshwara Auto Finance,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.



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14. Axix Bank (ATM),
Through its Branch Manager,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.
15. Silamba Colour Lab Studio,
Colour Xerox,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk, Dindigul District.
16. Apollo Medical Shop,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.
17. Vignesh Traders,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.
18. Ramalingam Fertilizer,
Pest Medical Shop,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.



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19. Muthoot Finance Corporation,
Through its Branch Manager,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.

20. Corporation Bank,
Through its Branch Manager,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.

21. Sakthi Grinder,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.

22. Annai Ilaikadai (Leaf Shop),
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.

23. Sankar Mudithiruthal Nilayam,
(Saloon Shop),
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk, Dindigul District.



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24.Mobile Care Cellphone Shop,

Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.

25.New Ravi Digital Studio,

Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.

26.S.V.T. Tourist Bus Company,

Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.

27.Amman Finance Jewelry Pawn Shop,

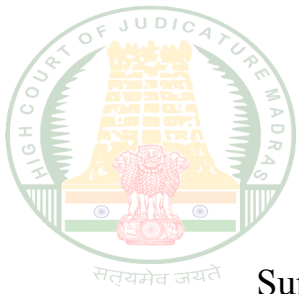
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.

28.Kannan Std Booth Shop,

Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.

29.P.Raj Fruit Commission Shop,

Through its Proprietor,



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Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.

30.Sivam Finance,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk, Dindigul District.

31.Ajitha Clinic Hospital,
Through its Adminisstrator,
Dr. Karuppanan,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk, Dindigul District.

32.Jayam Two Wheeler Stand,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk,
Dindigul District.

33.Kannan Department Store,
Through its Manager,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk, Dindigul District.

34.Sonaimuthu Pookadai,
Oddanchatram,
Through its Proprietor,
Sundaram Chettiar Pettai,
Oddanchatram Town,
Oddanchatram Taluk, Dindigul District.



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35.R.Abdul Azees

36.Nagamani

37.Manoj

38.C. Pavitha

39.Velusamy

... Respondents in
C.R.P.(MD)No.90/2021

C.R.P.(MD)No.91 of 2021:

M.Selvin @ Gnanavijayan

... Petitioner

Vs.

1.Nirmala

Dhanalakshmi (died)

2.Rajasekaran

3.Saroja

4.Kasthuri

5.Mary Meena

6.Paranjothi

7.State Bank of India,
Commercial Branch,
Tiruppur,
Through its Branch Manager.

Karuppanan (died)

8.Umavathi

9.Vasantha

10.M.Balasubramanian

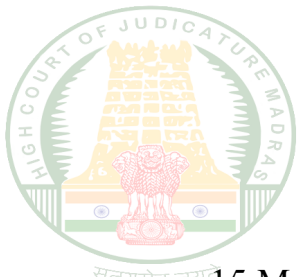
11.Kazhugasalam

12.Uma Maheswari

13.Ravi Balan

14.Senguttuvan

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- 15.Manivannan
16.Periyasamy
17.Kalimuthu
18.D.Selvam
19.Rajeshwari
20.Raman alias Ramathevar
21.Janaki
22.Sivaraman
23.Sakthivel

Gurusamy (died)

24.Velusamy
Ramasamy (died)

- 25.Kalavathi
26.Sudha
27.Sellammal
28.Dhanapackiam
29.Ponramasamy
30.Sakthiramasamy
31.Nagamani
32.G.Manoj
33.G.Pavitha

...Respondents in C.R.P.
(MD)No.91/2021

COMMON PRAYER: Civil Revision Petitions - filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 02.01.2020 passed in I.A.No.170 of 2017 and 9 of 2018 in O.S.No.86 of 2012 and 116 of 2012 on the file of the Additional District Court (Fast Track Court), Palani.



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In C.R.P.(MD)No.90 of 2021:

For Petitioner : Mr.M.P.Senthil
For R6 : Mr.H.Lakshmi Shankar
For R1 : Mr.V.Meenakshi Sundaram
For R2 & R3 : Mr.R.Balakrishnan

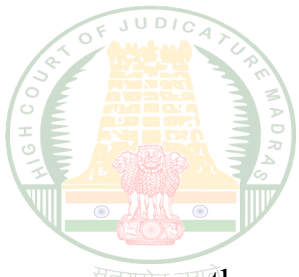
In C.R.P.(MD)No.91 of 2021:

For Petitioner : Mr.M.P.Senthil
For R6 : Mr.H.Lakshmi Shankar
For R1 : Mr.V.Meenakshi Sundaram
For R2 & R3 : Mr.R.Balakrishnan

COMMON ORDER

These Civil Revision Petitions are filed challenging the orders dated 02.01.2020 made in I.A.No.170 of 2017 and 9 of 2018 on the file of the Additional District Court (Fast Track Court), Palani.

2.The petitioner in both the petitions is the first defendant in O.S.No.86 of 2012 and the third defendant in O.S.No.116 of 2012. Both the suits were filed for partition and the said suits were decreed. For passing final decree,



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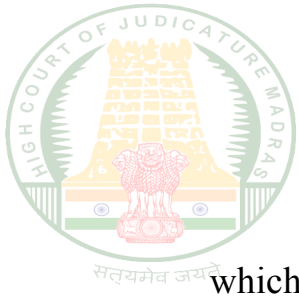
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the petitioner filed an application in I.A.Nos.170 of 2017 and 9 of 2018. In that proceedings, an Advocate Commissioner was appointed to measure and note down the physical features of suit schedule property. Challenging the same, the present Civil Revision Petitions are filed.

3.The learned counsel for the petitioner in both petitions submitted that as against the preliminary decree passed in the suits, the aggrieved parties have filed appeals in A.S.(MD)Nos.150 to 152 of 2017 before this Court and obtained an order of interim stay. Now the appeals are pending before this Court. Hence, the learned counsel for the petitioner submits that it would be suffice, if a direction is issued to the effect that the orders passed in I.A.No. 170 of 2017 and I.A.No.9 of 2018 will be subject to the result of the pending appeals.

4.The learned counsel appearing on behalf of the respondents have no serious objection.

5.In view of the above submission, these Civil Revision Petitions are disposed of holding that the order passed in the interlocutory applications,



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which are impugned in these petitions, will be subject to the result of the First Appeals pending before this Court. No costs. Consequently, connected miscellaneous petitions are closed.

24.06.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Additional District Court (Fast Track Court), Palani
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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24.06.2025