



CRP(MD). No.211 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 11/12/2025

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.211 of 2023

and

CMP(MD)No.1026 of 2023

Vijayakumar

... Petitioner

Vs

1. Devendran

2. Illarajothi

3. Arulmigu Pilavaneswarar Thirukovil,
Thirunallur, Represented by its Hereditary Trustee,
Temple Premises,
Thirunallur, Kumbakonam Taluk,
Thanjavur District.

... Respondents

PRAYER :-

Civil Revision Petition filed under Article 227 of The Constitution of India to set aside the order and Decree dated 02.12.2022 made in I.A. No. 26 of 2022 in O.S. No. 10 of 2021 on the file of the Additional District and Sessions Judge (Fast Track Court), Kumbakonam and allow this Civil Revision Petition.



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For Petitioner : M/s.G.Gomathi Sankar,
Advocate.

For Respondents : Mr.H.Lakshmi Shankar for R1

No appearance for R2 and R3

ORDER

The present application is filed challenging the order dated 02/12/2022 passed in I.A.No.26 of 2022 in O.S.No.10 of 2000 by the learned Additional District and Sessions Judge (Fast Track Court), Kumbakonam.

2. An application was filed by the revision petitioner under Order 6 Rule 17 read with Section 142 and CPC. The petitioner claims that the respondents are the plaintiff and 1 and 3 defendants in the suit. The plaintiff has filed an application to delete the paragraphs in the plaint. The defendants objected to the same expressing that deletion of such paragraphs will dislodge the case of the defendants, as it goes to the root of the case.

3. Per contra, learned counsel appearing for the first respondent/ plaintiff submits that it is prerogative to have the necessary pleadings in



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the plaintiff, and with the leave of the court he has every right to delete the paragraph.

4. The only point for consideration is whether the rejection order passed by the trial court in an application filed by the revision petitioner who is a defendant, caused any prejudice to the revision petitioner. The same could be culled out while cross examining the plaintiff side witnesses. Therefore, no interference is called for by this Court.

5. Since the suit is of the year 2021, the trial court shall conclude the trial within a period of six months from the date of receipt of order.

6. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition stands closed.

11.12.2025

NCC : yes / no
Index : yes / no
Internet : yes /no

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N.SENTHILKUMAR,J

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To

1. The Additional District and Sessions Judge (Fast Track Court),
Kumbakonam.
2. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

ORDER
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