



C.R.P.(PD)(MD)Nos.383 to 385 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(PD)(MD)Nos.383 to 385 of 2025

and

C.M.P(MD)Nos.2206 to 2208 of 2024

C.R.P.(PD)(MD).No.383 of 2025:

S.Maduraiveeran

...Revision Petitioner/Petitioner/Plaintiff

Vs.

M.Pattu

...Respondent/Respondent/Defendant

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, against the Fair order and Decreetal order, dated 06.01.2025 made in I.A.No.4 of 2024 in O.S.No.100 of 2020 on the file of Second Additional District Judge, Tiruchirappalli and set aside the same and allow this Civil Revision Petition as prayed for.

For Petitioner : Mr.K.S.Kathiravan

For Respondent : Mr.S.Sitharthan

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C.R.P.(PD)(MD).No.384 of 2025:

S.Maduraiveeran

...Revision Petitioner/Petitioner/Plaintiff

Vs.

M.Pattu

...Respondent/Respondent/Defendant

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, against the Fair order and Decreetal order, dated 06.01.2025 made in I.A.No.5 of 2024 in O.S.No.100 of 2020 on the file of Second Additional District Judge, Tiruchirappalli and set aside the same and allow this Civil Revision Petition as prayed for.

For Petitioner : Mr.K.S.Kathiravan

For Respondent : Mr.S.Sitharthan

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C.R.P.(PD)(MD).No.385 of 2025:

S.Maduraiveeran

...Revision Petitioner/Petitioner/Plaintiff

Vs.

M.Pattu

...Respondent/Respondent/Defendant

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, against the Fair order and Decreetal order, dated 06.01.2025 made in



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I.A.No.6 of 2024 in O.S.No.100 of 2020 on the file of Second Additional District Judge, Tiruchirappalli and set aside the same and allow this Civil Revision Petition as prayed for.

For Petitioner : Mr.K.S.Kathiravan

For Respondent : Mr.S.Sitharthan

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COMMON ORDER

The plaintiffs in O.S.No.100 of 2020, on the file of the II Additional District Court, Trichirappalli, are the revision petitioners herein.

2.The above said suit has been filed for the relief of declaration of title and permanent injunction. The defendant is the wife of the plaintiff.

3.According to the learned Counsel appearing for the plaintiffs, utilising the financial support offered by the plaintiffs, the properties have been purchased as Benami in the name of the wife. Based upon the above said contention, a suit has been filed.

4.After closing of evidence on either side, the plaintiff side arguments were heard and the defendants side arguments were heard in part on 02.12.2024.



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Thereafter, the present applications in I.A.Nos.4, 5 and 6 of 2024 have been filed by the plaintiffs seeking to reopen, recall P.W.1 and to mark additional documents on the side of the plaintiffs. These three applications have been dismissed by the trial Court. Challenging the same, the present revision petition has been filed.

5. According to the learned Counsel appearing for the revision petitioners, the documents which are sought to be marked are the judgments in CrI.R.C.(MD)No.398 of 2019 and the order in CrI.O.P.(MD)No.8225 of 2022, which were passed by the High Court. According to him, these documents would clearly establish the fact that the properties were purchased from and out of the funds of the husband. Unless these documents are marked, it would cause great hardship.

6. Per contra, the learned Counsel appearing for the respondents/defendants had contended that this Court has issued a direction on 12.03.2020 itself, for disposal of the suit. However, the plaintiffs have been successful in dragging the suit proceedings. He further contended that after the arguments of the defendants, were partly heard, the present application has been filed. Hence, he prayed for dismissal of the revision petition.



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7.I have carefully considered the submissions made on either side and perused the materials available on record.

8.The facts captured above will clearly indicate that the petitioners herein are attempting to rely upon proceedings before the criminal Court and attempting to mark the documents which are the proceedings before the criminal Court, arising out of maintenance proceedings. The suit is for declaration of title and for permanent injunction. The observations/findings of the criminal Court will not in any way be helpful for the civil Court. That apart, the suit is posted for arguments on the side of the defendants.

9.In the said circumstances, belatedly these applications have been filed to mark certain documents, which may not of any relevance for the disposal of the civil suit. In the said circumstances, this Court does not find any merits in the revision petition. Accordingly, these Civil Revision Petitions stand dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

13.02.2025

Internet:Yes/No
Index:Yes/No
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R.VIJAYAKUMAR, J.

RJR

To

The learned Second Additional District Judge,
Tiruchirappalli.

Copy to:-

The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.

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