



CRP(MD). No.305 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 01/07/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.305 of 2022
and CMP(MD) No.1361 of 2022**

Muneeswari

... Petitioner

Vs

1. K.Mariappan

2. D. Muthumariappan

... Respondents

PRAYER :-Civil Revision petition filed Under Article 227 of the Constitution of India, against the Fair and Decretal Order passed in I.A. No. 1 of 2020 dated 02-11-2021 in O.S. No. 360 of 2019 on the file of the District Munsif Court, Rajapalayam.

For Petitioner : Mr.P.M.Vishnuvardhanan
For Respondents : Mr.I.Velpradeep

ORDER

The Civil Revision Petition is filed against the fair and decretal Order passed in I.A. No. 1 of 2020 dated 02-11-2021 in O.S. No. 360 of 2019 on the file of the District Munsif Court, Rajapalayam.



CRP(MD). No.305 of 2022

WEB COPY

2. The learned counsel for the petitioner would submit that the respondent filed the suit in OS No.360/2019 for declaration to declare that the document dated 09.07.2004 in Doc.No.4.36.217.85/2004 and document No.609/2013 dated 28.02.2013 are null and void. However the grievance of the petitioner is that the suit property was undervalued and therefore, he filed an interlocutory application to dismiss the suit on the ground that suit is undervalued. The said petition came to be dismissed, which is under challenge in this Civil Revision Petition.

3. However, the learned counsel for the petitioner restricted his relief to the effect that the petitioner may be granted liberty to raise all the issues raised in this petition at the time of trial before the trial Court.

4. The learned counsel for the respondent has no objection for the same.

5. I have considered the rival submissions and perused the materials available on record.



CRP(MD). No.305 of 2022

WEB COPY

6. Considering the facts and circumstances of the case and considering the said submission now made by the learned counsel for the petitioner, this Civil Revision Petition is dismissed with liberty to the petitioner to raise all the issues raised in the present Civil Revision Petition before the trial Court at the time of trial. Since the suit is of the year 2019, the trial Court is directed to dispose the suit as expeditiously as possible, preferably within a period of one year from the date of receipt of a copy of this order. No costs. Consequently connected Miscellaneous Petition is closed.

01.07.2025

NCC : Yes/No

Index : Yes/No

RR

TO

1.The District Munsif Court, Rajapalayam.

2.VR Section

Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRP(MD). No.305 of 2022

M.DHANDAPANI,J

RR

**ORDER
IN
CRP(MD) (NPD) No.305 of 2022**

Date : 01/07/2025