



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.458 of 2021

and

C.M.P.(MD)No.2468 of 2021

- 1.A.Azhagulingam (Died)
- 2.A.Saraswathy
- 3.A.Arun
- 4.A.Anitha
- 5.A.Akila

...Petitioners

[Petitioners 2 to 5 are brought on record as LR's of the deceased sole petitioner vide court order dated 09.09.2022 made in C.M.P.(MD)Nos.6615 and 6616 of 2021]

Vs.

S.Madhavan (Died)

- 1.Krishnammal
- 2.Sendu (Died)
- 3.Sudali
- 4.Jeevanandum
- 5.Thangam
- 6.Subramanian
- 7.Nambi Natchiyar
- 8.Suresh Kumar

...Respondents

[Respondents 7 and 8 are brought on record as LR's of the deceased 2nd respondent vide Court Order dated 11.07.2024 made in C.M.P.(MD)Nos.7488, 7490 and 7491 of 2024.]



WEB COPY

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and decreetal order dated 20.01.2021 made in I.A.No.101 of 2015 in A.S.No.86 of 2013, on the file of the Additional Sub Court, Tirunelveli and to allow the same by allowing the present Civil Revision Petition.

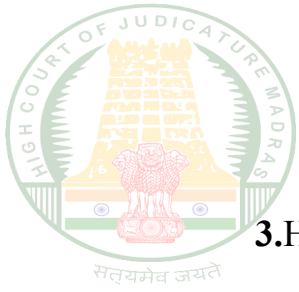
For Petitioners : Mr.S.Krishnakumar

For Respondents : Mr.T.Selvam

ORDER

This petition has been filed seeking to set aside the order dated 20.01.2021 made in I.A.No.101 of 2015 in A.S.No.86 of 2013, on the file of the Additional Sub Court, Tirunelveli and to allow the present Civil Revision Petition.

2.The petitioner filed a suit for permanent injunction in O.S.No.474 of 2003, on the file of the II Additional District Munsif Court, Tirunelveli. The said suit was dismissed, against which the petitioner preferred an appeal in A.S.No.86 of 2013, before the Additional Sub Court, Tirunelveli. Before the Additional Sub Court, Tirunelveli, the petitioners filed the impugned I.A.No. 101 of 2015 to file a fresh suit. The said application came to be dismissed. Challenging the same, the present Civil Revision Petition has been filed.



3.However, during the course of the arguments, the learned Counsel for the petitioner would submit that though the petitioners have challenged the impugned order in I.A.No.101 of 2015, it would suffice if the lower appellate Court is directed to dispose of the appeal in the manner known to law.

4.Accordingly, this Civil Revision Petition is disposed of, with a direction to the Additional Sub Court, Tirunelveli, to dispose of the appeal in A.S.No.86 of 2013, in the manner known to law. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

10.06.2025

Internet:Yes/No

Index:Yes/No

MR



WEB COPY

C.R.P.(MD)No.458 of 2



To

- 1.The Additional Sub Court,
Tirunelveli.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY

C.R.P.(MD)No.458 of 2



M.DHANDAPANI, J.

MR

C.R.P.(MD)No.458 of 2021

10.06.2025