



C.R..P.(PD)(MD).No.1521 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P(PD)(MD)No.1521 of 2025

and

C.M.P.(MD)No.7699 of 2025

1.Velu @ Velusamy

Rasu (died)

2.Ganesan

3.Parvathi

4.Jeyalakshmi

5.Kannan

... Petitioners

Vs.

1.Ganesan

2.Kandamannur Pathirakalliamman Nadar Uravinmurai

Represented by 2nd Muraitharar,

Ayyannar, S/o.Ganesan,

Nadar Street, Kandamannur,

Andipatti Taluk,

Theni District.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair and ex-order dated 10.04.2023 made in I.A.No.04 of 2020 in O.S.No.317 of 2019 on the file of the Sub Court, Theni.



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For Petitioners : Mr.M.Karuppasamy Pandian

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ORDER

This Civil Revision Petition is filed challenging the order dated 10.04.2023 made in I.A.No.04 of 2020 in O.S.No.317 of 2019 on the file of the Sub Court, Theni.

2.Since no adverse order is going to be passed as against the respondents, notice to the respondents is dispensed with.

3.The petitioners are the defendants 2 to 4 in O.S.No.317 of 2019 filed by the respondents herein for permanent injunction and declaration. The petitioners filed an application seeking rejection of plaint under Order 7 Rule 11 CPC. The said application was dismissed. Challenging the same, the present Civil Revision Petition is filed on the ground of *res judicata*.

4.The learned counsel for the petitioners, on instructions, would submit that though the petitioners filed this Civil Revision Petition challenging the order passed in their application seeking to strike off the plaint, since the first



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petitioner is aged about 82 years old, it would be suffice if a direction is issued to dispose of the main suit within the time stipulated by this Court.

5.Considering the limited request of the petitioners and also considering the age of the first petitioner, this Court issues a direction to the trial court to dispose of the suit in O.S.No.317 of 2019 as expeditiously as possible based upon the seniority of the cases. No costs. Consequently, connected miscellaneous petition is closed.

02.06.2025

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

- 1.The Sub Court, Theni
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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