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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2025

CORAM

THE HON'BLE MR. JUSTICE R.VIJAYAKUMAR

C.R.P.(PD)(MD)No.1093 of 2025

S.N.Thiyagarajan

...Petitioner/Petitioner

Vs

1.Nataraja Bhoopathy Nadar Palthangam
Ammal Guru Poojai Kattalai
Represented by its
Managing Trustee/Hereditary Hukdar,
N.V.Prabhagarajan

2.N.V.Prabhagarajan
3.T.Manivannan
4.T.Ravindran
5.T.Rajkumar
6.S.N.A.Sivarajan
7.S.N.A.Rajendra Babu
8.J.Arokia Dinesh Raja
9.S.Balasundar

....Respondent/Defendant

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the Principal District Judge, Thoothukudi, to receive, take on file and number the petition in Unnumbered Petition in Unnumbered TROP-ATN20220013103C202400003, within a time frame as may be fixed by this Court.

For Petitioner : Mr.G.Aravainthan
for M/s.Aran Legal Consultancy

* * * * *



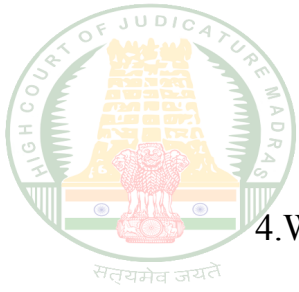
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ORDER

The present revision petition has been filed by the petitioner in unnumbered T.R.O.P.No.ATN20220013103C202400003, on the file of the Principal District Judge, Tuticorin, challenging the order of return passed by the Court and for a direction to number the said transfer O.P.

2.A perusal of the prayers reveal that prayers C, D and E relate to property dispute and cancellation of certain sale deeds. Admittedly, such prayers cannot be sought for under Section 34 of the Indian Trusts Act, 1882. The trial Court has rightly raised an objection with regard to the prayers.

3.The objection raised by the learned Principal District Judge, Tuticorin, is sustainable in the eye of law and therefore, this Court is not inclined to interfere in the said order. However, the plaintiffs are at liberty to present the same in the form of regular suit before the Competent Court.



4. With the above said observations, this Civil Revision Petition stands disposed of. No costs.

25.04.2025

Internet: Yes/No
Index: Yes/No
RJR

Note:-

The Registry is directed to return the original impugned order after obtaining due signature from the learned Counsel appearing for the revision petitioner.



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R.VIJAYAKUMAR, J.

RJR

To

The learned Principal District Judge,
Thoothukudi.

Copy to:-

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

C.R.P.(PD)(MD)No.1093 of 2025

25.04.2025