



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1578 of 2025

- 1.Rajakumari
- 2.Amirtha
- 3.Krishnakumari
- 4.Manickavelu

...Petitioners

Vs.

- 1.Porpavai
- 2.Aravamuthan
- 3.Nirmaladevi
- 4.Kannan
- 5.Krishnan
- 6.Jeyalakshmi
- 7.Jeyamani
- 8.Chitra
- 9.Rani
- 10.Pandeeswari
- 11.Tamil Nadu Merchantile Bank,
Head Office,
Door No.57, V.E.Road,
Thoothukudi by its General Manager.
- 12.LINK In Time India Pvt. Ltd.,
Surya – 35, May Flower Avenue,
Behind Senthil Nagar, Sowripalayam Road,
Coimbatore – 641 020,
Through its Manager

...Respondents



PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to direct the Principal District Judge, Virudhunagar District at Srivilliputhur to receive, take on file and number the petition in unnumbered petition in SOP Filing No.1487/2024 – TNVR010061542024, within a time frame as may be fixed by this Court by allowing this Civil Revision Petition.

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

ORDER

This petition has been filed seeking to direct the Principal District Judge, Virudhunagar District at Srivilliputhur to receive, take on file and number the unnumbered petition in SOP Filing No.1487/2024 – TNVR010061542024.

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

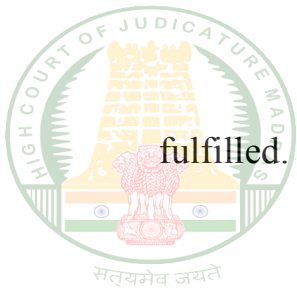
3.Learned Counsel for the petitioners would submit that the petitioner's grandfather namely T.S.S.S.D.Radhakrishnan, purchased shares from the 11th respondent through the 12th respondent and the said Radhakrishnan died intestate leaving behind 4 sons and 1 daughter as his legal heirs. The first and second respondents are the legal heirs of late Radhakrishnan's first son Durairaj.



Respondents 3 to 5 are the legal heirs of late Radhakrishnan's second son Nagarajan. Respondents 6 to 9 are the legal heirs of late Radhakrishnan's third son Mahendran. The petitioners are the legal heirs of late Radhakrishnan's fourth son Thayamathy. The 10th respondent is the legal heir of late Radhakrishnan's only daughter Revathi.

4.Learned Counsel for the petitioners would further submit that with regard to immovable properties, a partition suit is pending between the parties and with regard to the claim of share value, the petitioners filed a Succession Original Petition before the Principal District Judge, Virudhunagar District at Srivilliputhur, under Section 372(2)(3) of the Indian Succession Act. The said SOP was returned on the ground that the letter of bank shares as on date is not filed, legal heir certificate of deceased Nagarajan, Revathi and Mahendran are not filed, letter of share value as on date is not filed and the lodgement schedule is to be filed correctly.

5.Learned Counsel for the petitioner submits that legal heirship certificates of Nagarajan and Revathy are available only with the legal heirs of Nagarajan and Revathy and not with the petitioners. After numbering the SOP, they will produce the same before the trial Court. Further, the legal heirs of Nagarajan and Revathy have been impleaded as respondents herein. With regard to other endorsements made by the learned Judge, the same have been



fulfilled.

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6. In view of the same, the petitioner is directed to re-present the SOP and after re-presenting, without insisting on the legal heir certificate of Nagarajan and Mahendran, if other documents are produced, the trial Court is directed to number the SOP and proceed the matter in accordance with law. After numbering, if the parties are not legal heirs of Mahendran, Nagarajan and Revathy, then the Court may take adverse opinion as against the petitioners.

7. Accordingly, this Civil Revision Petition stands disposed of. There shall be no order as to costs.

8. The Registry is directed to return the original SOP, to enable the petitioner to re-present the same before the trial Court.

03.06.2025

Internet: Yes/No

Index: Yes/No

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To

- 1.The Principal District Judge,
Virudhunagar District at Srivilliputhur.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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C.R.P.(MD)No.1578 of 2



M.DHANDAPANI, J.

MR

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