



CRP(MD). No.1296 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**Dated : 30/07/2025**

**CORAM**

**THE HONOURABLE MR. JUSTICE M.DHANDAPANI**

**CRP (MD). No.1296 of 2025  
and CMP(MD) No.6751 of 2025**

S.Nivedha

... Petitioner

**Vs**

1. D.Padmavathi,  
W/o. K.Durairaj,  
No.3/14,Kannidevanpatti North Street,  
Keelarajakularaman Post,  
Rajapalayam Taluk,  
Virudhunagar District..

2. Sundararajan,  
S/o. Ramasamy,  
No.19c/14a, Jothi Nagar 4th Street,  
Kovilpatti,  
Tuticorin District..

3. Jawahar Ram,  
S/o. Sundarrajan,  
No.52, Periyar Nagar,  
Peelamedu,Coimbatore District..

4. Sekar,  
S/o. Sundarrajan,  
No.19c/14a,Jothi Nagar 4th Street,  
Kovilpatti, Tuticorin District..



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5. Alagirisamy,  
S/o. A.Karuppusamy Naicker,  
No.1, Abiri Crest, 7th Main Road,  
New Colony, Crompet,  
Chennai 600 044..

6. A.Rajesh,  
S/o. Alagirisamy,  
No.1, Abiri Crest, 7th Main Road,  
New Colony, Crompet,  
Chennai 600 044..

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair and decretal order 02-04-2025 passed in I.A.No.01 of 2023 in O.S.No.186 of 2022 on the file of the Additional District (at ) Srivilliputhur.

For Petitioner : Mr.S.Radhakrishnan  
Senior Counsel for Mr.S.Kadarkarai  
For Respondents : Mr.Y.Prakash for R1  
Mr.Niranjan Rajagopalan for  
M/s.G.R.Associates for R5

### **ORDER**

The Civil Revision Petition is filed against the fair and decretal order 02-04-2025 passed in I.A.No.01 of 2023 in O.S.No.186 of 2022 on the file of the Additional District (at ) Srivilliputhur.



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2. The petitioner is a third party to the suit in OS No.186/2022.

VENKATASAMY and VENKITAMMAL are husband and wife. They have three daughters, namely, RAJESWARI, PADMAVATHY and SETHURATHINAM and a son by name RAMA JEGADEESAN, wherein, PADMAVATHY instituted a suit in OS No.186/2022 claiming partition of the suit schedule property. In the said suit, the petitioner herein filed an interlocutory application in IA No.1 of 2023 under Order 1 Rule 10 (2) r/w Section 151 of the Code of Civil Procedure for impleading herself as a party in the proceedings on the ground that the suit was filed by impleading the legal heirs of RAJESWARI and legal heirs of SETHURATHINAM as defendants. Before filing the suit, RAMA JEGADEESAN and his wife SUMATHI predeceased and hence, they were not added as a party in the suit. Subsequently, the petitioner, claiming to be the adopted daughter of RAMA JEGADEESAN and SUMATHI and on the strength of the Will obtained from SUMATHI, filed the said application for impleadment. However, the said application came to be dismissed. Challenging the said dismissal, the petitioner is before this Court with this Civil Revision Petition.



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3. The learned Senior counsel appearing for the petitioner would submit that without prejudice to the rights and contentions, this Court may permit the petitioner to file a civil suit within a reasonable time and that the suit to be instituted may be tagged along with other pending suits pending between the parties herein, in which, already the petitioner herein was added as a party.

4. For the said submission, the learned counsel for the respondents 1 and 5 have no serious objection.

5. In view of the aforesaid submissions and considering the facts and circumstances of the case, without interfering with the order impugned, this Court is inclined to permit the petitioner herein to file a separate suit. If the suit is filed along with an appropriate application for simultaneous trial within a period of four weeks from the date of receipt of a copy of this order, the trial Court may consider the same leniently for simultaneous trial and dispose of the suit within a period of six months from the date of filing of the suit.



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6. With the aforesaid direction, the Civil Revision Petition is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

**30.07.2025**

**NCC : Yes/No**  
**Index : Yes/No**  
**RR**

TO

1.The Family Court, Thoothukudi.

2.VR Section

Madurai Bench of Madras High Court, Madurai.



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**M.DHANDAPANI,J**

**RR**

**ORDER  
IN  
CRP(MD) No.1296 of 2025**

**Date : 30/07/2025**