



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated 28.11.2025

CORAM

THE HON'BLE MR. JUSTICE R.VIJAYAKUMAR

REV.APLC(MD)No.107 of 2025
and
CMP(MD).No.9263 of 2025

K.Mayilvel

....Review petitioner/Revision Petitioner

Vs

M.Suresh Babu

....Respondent/Respondent

Prayer:- Review Application filed under Order XLVII Rule 1 & 2 of CPC to review the order passed by this Court in CRP(MD).No.52 of 2025 dated 03.04.2025.

For Appellant : Mr.S.R.Raghunathan
For Mr.S.M.Arun Kumaar

For Respondent :Mr.V.Janakiramulu

JUDGMENT

The present Review Application has been filed by the petitioner in CRP(MD).No.52 of 2025 seeking to review the order dated 03.04.2025



wherein this Court has dismissed the revision petition confirming the order of dismissal of an application filed under Order 12 Rule 6 of C.P.C.

2.The learned Counsel appearing for the review applicant submitted that the observation made in Paragraph Nos.18 and 20 of the order are likely to affect the merits of the suit. Therefore, he requested for deletion of those portions.

3.Despite the fact that the plaintiff had filed Ex.A3 patta, there is an observation in Paragraph No.18 that the plaintiff has not filed patta. There is no necessity to seek a prayer for declaration. However, this Court has observed that without a prayer for declaration of title, the suit would not be maintainable.

4.Without being influenced by the observations made by this Court, the trial Court is directed to dispose off the suit.

5.With the above observations, this review application stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

28.11.2025

Index: Yes/No
Internet: Yes/No
NCC : Yes/No
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The Subordinate Judge
Manamadurai



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R.VIJAYAKUMAR, J.

msa

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