



CRP(MD), No.2270 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 19/08/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.2270 of 2025
and CMP(MD) No.13614 of 2025**

Indirani

... Petitioner

Vs

1. Manohar
2. Sumathi
3. Sri Jesli Ovans Alias Manoj Kumar,
S/o. Perumal Thevar,
4. Sri Jestram Alias Vijayakumar,
5. Jayanthi,
D/o. Perumal Thevar,
6. Mahamayee,
7. Kanchana,
8. Kavitha,
- Sri Alagar (Died)

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9. Sakthi,

10. Mala,

11. Amaravathy,

Sri Suresh (Died)

12. Sri Rajesh,

13. Jaya,

Sumathi (Died)

14. Sri Vimal

15. Pounthavee

16. Sigamani Alias Karupayee

17. Venkatesan

18. Rani

19. Saravanan

20. Ammaiyappan

21. Balamurugan

22. Sumathi

23. Eswari

24. Minor. Alageswari

25. Minor. Pandiammal

... Respondents



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PRAYER :-Civil Revision Petition filed under Article 227 of The Constitution of India to set aside the order in IA No.1 of 2025 in OS No. 16 of 2012 dated 08.04.2025 passed by the Additional District and Sessions Court, Periyakulam.

For Petitioner : Mr.R.Balasubramanian
Senior counsel for Mr.G.Mutharasu

ORDER

The Civil Revision Petition is filed against the order dated 08.04.2025 in IA No.1 of 2025 in OS No.16 of 2012 passed by the Additional District and Sessions Court, Periyakulam.

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

3. The learned counsel for the petitioner would submit that the petitioner is the defendant in OS No.16 of 2012 and the said suit was filed by the first respondent/plaintiff for partition. To strike off the plaint, the petitioner/defendant filed IA No.1/2025. The said petition came to be dismissed, against which, the petitioner is before this Court.



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4. It is seen that the suit is of the year 2012 and the interlocutory application was filed in the year 2025, ie., after a period of 13 long years to strike off the plaint. The filing of interlocutory application with a delay of 13 years is impermissible one and rightly the trial Court has dismissed the same. Since the issues raised are triable in nature, the same can be canvassed before the trial Court at the time of trial itself. While the trial has commenced, filing of an application to strike off the plaint is not sustainable. However, since the said suit is pending from 2012 without any progress, the learned senior counsel prays for speedy disposal of the same.

5. Considering the limited relief now sought for by the learned Senior counsel for the petitioner, without adverting into the merits or the contentions raised by the petitioner, the trial Court is directed to dispose of OS No.16/2012 as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.



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

19.08.2025

NCC : Yes/No
Index : Yes/No

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TO

- 1.The Additional District and Sessions Court, Periyakulam.
- 2.VR Section
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

RR

**ORDER
IN
CRP(MD) No.2270 of 2025**

Date : 19/08/2025