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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27-01-2025

CORAM

THE HONOURABLE MR JUSTICE RMT. TEEKAA RAMAN
AND
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

CMP(MD) NO. 8275 of 2024
AND
AS(MD) NO. 163 OF 2024

M.Thirumeninathan
S/o.Mathavarajan,
Door No.46, T.R.Naidu Street,
Thoothukudi Town, Thoothukudi Taluk,
Thoothukudi District.

.... Petitioner

Vs

1. M.Bavanidevi
W/o.Mathavarajan,
Door No.183/9F, V.V.D.Road,
Thoothukudi Town,
Thoothukudi Taluk,
Thoothukudi District.

2. V.Jothimalar,
W/o.Venkatesh,
Door No.5/919, M/s. Rajendra Nadar Firm,
Palace Road, Cochin, Kerala State.



3. G.Vasumathi alias Prabha,
W/o.P.K.Y.Gnanasekar,
Door No.1/15, Perumalpuram,
Thoothukudi Town,
Thoothukudi Taluk,
Thoothukudi District.

4. K.Sheyamala,
W/o.Kanagavel,
Door No.4/125, Ettayapuram Road,
Thoothukudi Town,
Thoothukudi Taluk,
Thoothukudi District.

... Respondents

For Petitioner : Mr.M.P.Senthil, Advocate

For Respondents : Mr.N.Dilipkumar, Advocate for R1

: Mr.R.Rajamohan, Advocate for R2 to R4

ORDER

(Order of the Court was made by the Hon'ble Rmt.Teekaa Raman J.)

The suit was filed for partition. The son of the first defendant filed a partition suit in O.S.No.37 of 2015 against the mother and daughters on the ground that the suit property is an ancestral property and hence, he is having a share over the property.



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The first defendant/mother filed a written statement adopted by the other defendants that the suit property belongs to the father of the plaintiff, namely, Madhavarajan and hence, the first defendant alone is the absolute owner of the property. Hence, the suit was dismissed. Against which, the petitioner/appellant has filed the appeal along with the civil miscellaneous petition.

2.As we find that the property has been further settled by the first defendant in favour of the defendants 2, 3 and 4, which were marked Ex.P.39, 40, 41, there is no positive order could be passed at this juncture.

3.In view of the above, the Civil Miscellaneous Petition is closed.

4.Post the main appeal for final hearing on 16.06.2025.

Sd/-
27/01/2025

/ TRUE COPY /

/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

sjj



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THE I ADDITIONAL DISTRICT JUDGE,
THOOTHUKUDI.

COPY TO:

THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-920[I] dated 28/01/2025)

ORDER
IN

CMP(MD) No.8275 of 2024
Date :27/01/2025

ES/VR/SAR-4/19.02.2025/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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