



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2025

WEB COPY

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.1597 of 2025

and

C.M.P.(MD).No.8237 of 2025

P.Dhanapandian

...Petitioner

Vs.

1.Singaraj

2.P.Rajammal

3.P.Pandiarajan

4.P.Pandiselvi

5.J.Jeyalakshmi

6.Vanitha

7.Suganya

8.Dhanyalakshmi

9.Deepa Lakshmi

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order passed in I.A.No.4 of 2025 in O.S.No.318 of 2018 on the file of the V Additional District Judge, Madurai, dated 16.04.2025 and thereby allow the present Civil Revision Petition.



WEB COPY

C.R.P.(PD)(MD)No.1597 of 2025



For Petitioner : Mr.M.Sridharan

For R-1, R-5 to

R-9 : Mr.K.K.Kannan

For R-2 to R-4 : No appearance

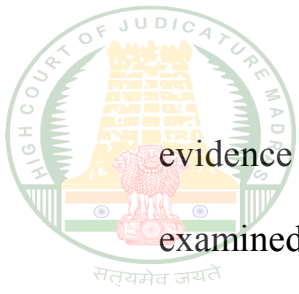
* * * * *

ORDER

This petition has been filed seeking orders to set aside the order passed in I.A.No.4 of 2025 in O.S.No.318 of 2018 on the file of the V Additional District Judge, Madurai, dated 16.04.2025

2. The first respondent herein filed a suit in O.S.No.318 of 2018 before the learned V Additional District Judge, Madurai, seeking partition against the petitioner and respondent Nos.2 to 9. Pending suit, the first respondent herein filed an interlocutory application in I.A.No.4 of 2025 before the learned V Additional District Judge, Madurai, seeking adjournment of the case for the purpose of commencing trial 15 days thereafter. However, the trial Court dismissed the said application on 16.04.2025. Challenging the same, the present Civil Revision has been filed.

3. The learned counsel appearing for the petitioner would submit that after dismissal of the said interlocutory application, the trial Court closed the



evidence on the side of the defendants, even though the defendants had not examined any witnesses before the trial Court.

WEB COPY

4. The learned counsel appearing for respondent Nos.1 and 5 to 9 would submit that, only with a view to drag on the proceedings, the petitioner filed a vexatious application before the trial Court, which was rightly rejected.

5. This Court, upon considering the facts and circumstances of the case, finds that admittedly, subsequent to the dismissal of the interlocutory application, the trial Court closed the evidence on the side of the defendants. However, the fact remains that the defendants had not adduced any evidence before the trial Court.

6. In view of the above, this Court is of the considered opinion that one final opportunity may be granted to the petitioner / third defendant to adduce evidence before the trial Court, in the interest of justice.

7. Accordingly, the Civil Revision Petition is allowed. The order passed in I.A. No.4 of 2025 in O.S. No.318 of 2018 on the file of the learned V Additional District Judge, Madurai, is hereby set aside. The trial Court is directed to permit the petitioner / third defendant to adduce evidence on the next date of hearing, which shall be fixed by the trial Court, without seeking any



further adjournment. It is needless to mention that the petitioner is directed to conclude the defendants' side evidence within a period of two weeks from the next date of hearing to be fixed by the trial Court. Considering the fact that the suit is of the year 2018, the trial Court is directed to dispose of the case within a period of six months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

19.06.2025

Internet: Yes/No

Index: Yes/No

TSG

To

1. The V Additional District Court, Madurai.

2. The Section Officer,

VR Section,

Madurai Bench of Madras High Court, Madurai.



WEB COPY

C.R.P.(PD)(MD)No.1597 of 2025



M.DHANDAPANI, J.

TSG

C.R.P.(PD)(MD)No.1597 of 2025

19.06.2025