



**C.R.P.(MD)No. 1855 of 2025**

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

**DATED: 07.07.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE M.DHANDAPANI**

**C.R.P.(MD)No.1855 of 2025**

**and**

**C.M.P.(MD)No.10253 of 2025**

Aamina Beevi

...Petitioner

Vs.

1.Panchavarnam

2.Meenambal

3.Jeyinsha Begam

...Respondents

**PRAYER:** Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the order and decreetal order dated 23.04.2025 made in I.A.No.2 of 2025 in O.S.No.06 of 2022, on the file of the District Munsif Court, Mudukulathur.

For Petitioner : Mr.S.Sivathilakar



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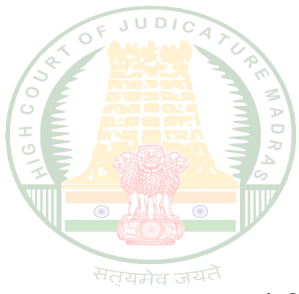
## **ORDER**

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This petition has been filed seeking to set aside the order dated 23.04.2025 made in I.A.No.2 of 2025 in O.S.No.06 of 2022, on the file of the District Munsif Court, Mudukulathur.

2.The original plaintiff filed a suit for permanent injunction against the defendants seeking not to evict the petitioner except under due process of law. The said suit was filed in the year 2022. During the progress of the trial, the original plaintiff empowered the power agent to conduct the suit on behalf of the plaintiff, who is none other than her son and thereafter, the power agent filed I.A.No.2 of 2025, under Order 3 Rule 2 of CPC and the same was dismissed. Challenging the same, the present Civil Revision Petition has been filed.

3.Learned Counsel for the petitioner would submit that the plaintiff is aged about 55 years. Though she filed a civil suit for permanent injunction, however, subsequently she is unable to conduct the case on her behalf and thereby, she executed a power of attorney in favour of her son and her son wanted to represent the plaintiff in the suit. The same was denied by the trial Court.

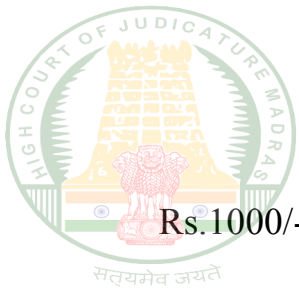


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4.Since no adverse orders are passed in this Civil Revision Petition, notice to the respondents is dispensed with.

5.The facts in the present case are not in dispute. A perusal of the plaint reveals that, originally the suit schedule property situated in S.No.199/3 belonged to one Duraisamy Chettiyar. After the death of Duraisamy Chettiyar, his legal heirs Subramanian, Natarajan, Panjavarnam and Meenambal enjoyed the property, since Duraisamy Chettiyar's wife pre-deceased. The plaintiff claims that she entered an agreement as cultivating tenant with Duraisamy Chettiyar in the agricultural land on condition that 50% of the agricultural produce will be given to Duraisamy Chettiar. After his demise, the 50% has been given to the legal heirs of Duraisamy Chettiyar and 50% is retained by her. Such arrangement continued for the past 8 years and subsequently, the 2/4<sup>th</sup> share in the property was purchased by the plaintiff from the defendant and the balance 2/4<sup>th</sup> share was enjoyed as tenant.

6.The plaintiff claims that she demanded the balance land from the defendants 1 and 2, however, they were not inclined to grant sale in favour of the plaintiff and therefore, she continued as tenant in the suit property and paid



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Rs.1000/- as monthly rent. In December 2021, they demanded additional 2 Lakh rupees as advance amount, each one lack and claimed Rs.5,000/- as rent and threatened her and thereby, the original plaintiff filed a suit for permanent injunction as against the defendants. During the pendency of the civil suit, the original plaintiff appointed her son as the power agent. However, all those pleadings reveal that it is the plaintiff who entered into agricultural tenancy and she claims that she purchased the property. However, the sale deed was not expressly stated in the plaint. Further, though the power agent claims to have personal knowledge over the suit, he cannot depose on behalf of the plaintiff and such a finding was rightly given by the trial Court and therefore, the order of the trial Court does not require any interference by this Court.

7. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

**07.07.2025**

Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The District Munsif Court,  
Mudukulathur.
- 2.The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**M.DHANDAPANI, J.**

MR

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