

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.1143 of 2020

and

C.M.P.(MD).No.7316 of 2020

Vasuki

...Petitioner

Vs.

1.A.Rengaraj

2.A.Seenivasan

3.Sakunthala

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and executable order dated 05.12.2020 made in I.A.No.1 of 2020 on the file of the learned Sub Judge, Periyakulam.

For Petitioner : Mr.R.Suriyanarayanan

For R-1 & R-2 : Mr.J.Barathan

For R-3 : Mr.A.Logesh Kumar

* * * * *



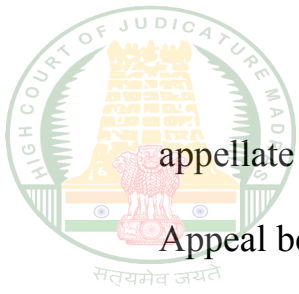
ORDER

WEB COPY

This petition has been filed seeking to set aside the fair and executable order dated 05.12.2020 made in I.A.No.1 of 2020 on the file of the learned Sub Judge, Periyakulam.

2. The petitioner filed a petition in O.S.No.131 of 2012 before the District Munsif Court, Periyakulam against the respondents seeking partition and permanent injunction. The said suit was dismissed by the learned District Munsif, Periyakulam on 26.09.2006. Against which, the petitioner filed an appeal suit in A.S.No.18 of 2017 before the learned Sub Judge, Periyakulam. Thereafter, the petitioner filed I.A.No.1 of 2020 for including some other properties as Item No.9 in the appeal. The said petition was dismissed by the learned Sub Judge, Periyakulam, vide order dated 05.01.2020. Challenging the same, the present petition has been filed.

3. The learned counsel appearing for the petitioner would submit that the petitioner filed a suit in O.S.No.131 of 2012 before the District Munsif Court, Periyakulam and the same was dismissed. Against which, the petitioner preferred an appeal in A.S.No.18 of 2017 before the lower appellate Court. In the mean time, the petitioner filed I.A.No.1 of 2020 and the said petition was dismissed. He further submits that the First Appeal was dismissed by the lower



appellate Court on 04.12.2021, against which, the petitioner preferred Second Appeal before this Court.

WEB COPY

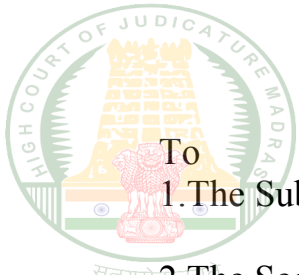
4. It is seen that the First Appeal was dismissed by the lower appellate Court on 04.12.2021, against which, the petitioner has filed a Second Appeal in S.A.(MD).No.163 of 2022 and the same is pending before this court.

5. It is seen that the First Appeal in A.S.No.18 of 2017 has already been dismissed by the lower appellate Court and the Interlocutory Application in I.A.No.1 of 2020 was also dismissed by the learned Sub Judge, Periyakulam. Since the Second Appeal is pending before this Court in S.A.(MD).No.163 of 2022, the petitioner can raise all those points raised herein before the pending Second Appeal.

6. Accordingly, nothing further survives for adjudication in this Civil Revision Petition and the same stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

05.06.2025

Internet:Yes/No
Index:Yes/No
TSG



C.R.P.(PD)(MD)No.1143 of 2019



To

1.The Sub Judge, Periyakulam.

2.The Section Officer,

VR Section,

Madurai Bench of Madras High Court, Madurai.



WEB COPY

C.R.P.(PD)(MD)No.1143 of 2020



M.DHANDAPANI, J.

TSG

C.R.P.(PD)(MD)No.1143 of 2020

05.06.2025