



CRP(MD). Nos.2994, 2995 and 2996 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 22/10/2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CRP(MD). Nos.2994, 2995 and 2996 of 2025
and
CMP(MD)No.16969 of 2025

Murugaiah

... Petitioner

Vs

1. Pitchai,
S/o. Periyasamy Muthirayan,
Ellaiyodu Veedhi,
Kalli Vattam,
Uppiliyapuram Village,
Thuraiyur Taluk,
Trichy.

2. Selvaraj,
S/o Periyasamy Muthirayan,
Ellaiyodu Veedhi,
Kaali Vattam,
Uppiliyapuram Village,
Thuraiyur Taluk,
Trichy.

Parvathi (Died)

Kumar (Died)

Senthil (Died)

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3. Ramesh,
S/o Nadesan,
Ellaiyodu Veedhi, Kaali Vattam,
Uppiliyapuram Village,
Thuraiyur Taluk, Trichy.

4. Devi,
D/o Nadesan,
Muthurajapalayam Village,
Pillayapalam Post,
Musiri Taluk, Trichy District.

5. Prasanth,
S/o Senthil
Ellaiyodu Veedhi,
Kalli Vattam,
Uppiliyapuram Village,
Thuraiyur Taluk,
Trichy.

6. Sundharaju,
S/o. Periyasamy Muthirayan,
Anbu Nagar,
Uppiliyapuram Village,
Thuraiyur Taluk,
Trichy.

... Respondents

PRAYER in CRP(MD)No.2994 of 2025 :-

Civil Revision Petition filed under Article 227 of The Constitution of India to allow the Civil Revision Petition and set aside the order dated 08.04.2025 made in I.A. NO. 12 of 2025 in O.S.No. 250 of 2009 by the Learned District Munsif Court Thuraiyur, Trichy District.



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PRAYER in CRP(MD)No.2995 of 2025 :-

Civil Revision Petition filed under Article 227 of The Constitution of India to allow the Civil Revision Petition and set aside the order dated 08.04.2025 made in I.A. No. 11 of 2025 in O.S.No. 250 of 2009 by the Learned District Munsif Court Thuraiyur, Trichy District.

PRAYER in CRP(MD)No.2996 of 2025 :-

Civil Revision Petition filed under Article 227 of The Constitution of India to allow the Civil Revision Petition and set aside the order dated 08.04.2025 made in I.A. No. 10 of 2025 in O.S.No. 250 of 2009 by the Learned District Munsif Court Thuraiyur, Trichy District.

For Petitioner : Mr. K. Muthumalai,
Advocate.

ORDER

These Civil Revision Petitions are filed to allow the Civil Revision Petition and set aside the order dated 08.04.2025 made in I.A. Nos.10, 11 and 12 of 2025 in O.S.No. 250 of 2009 by the Learned District Munsif Court Thuraiyur, Trichy District.



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2. Learned counsel for the petitioner would submit that the respondents herein had filed a suit for a declaration of title and for permanent injunction restraining the petitioners from interfering with the peaceful possession and enjoyment of the property. In the said suit, the plaintiff's side evidence was completed and had been posted for arguments. At that point it had come to the knowledge of the petitioner that certain aspects have been failed to have been cross examined on the plaintiff's side witnesses. Hence he had taken out an application for recalling and reopening the evidence on the side of the plaintiff side witnesses. The Court below without considering the request made by petitioner, dismissed the said application by awarding a cost of Rs.3,000/- against the petitioner. He would submit that the Court below wholly relied upon various irrelevant judgments in dismissing the applications filed by the petitioner. Hence he seeks indulgence of this Court.

3. I have considered the submissions made by the learned counsel appearing for the petitioner and perused the materials available on record.



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4. A suit had been instituted in the year 2009 and is pending almost for 26 years. The reasons attributed in support of the applications is that a Will dated 21.02.2025, which had been marked as an exhibit had not been properly cross examined by the petitioners and therefore it had become necessary to recall the witnesses and to reopen the evidence of the respective witnesses. The Court below had considered the said applications and had passed an order as to how the reasons attributed by the petitioner in the affidavit are ill-founded. It is also to be noted that the trial of the case is completed and the matter is ripe for arguments. At the present stage the said applications had been filed. Apart from the reasonings assigned by the Court below, this Court finds that the present application is nothing but a ruse to protract the proceedings which is kept pending for more than 26 years.

5. For the afore said reasons, this Court finds no merits in the application.

6. Considering the fact that the suit has been filed in the year 2009, the learned District Munsif Court, Thuraiyur, is directed to dispose of the



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suit within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, these Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petition stands closed.

22.10.2025

NCC : yes / no
Index :yes / no
Internet : yes / no

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To

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



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K.KUMARESH BABU, J.

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ORDER
IN
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Date : 22/10/2025