



C.R.P.(MD)No. 2023 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2023 of 2021

- 1.Maria Magadalane
- 2.Syni praba
- 3.Josephine Priya
- 4.Berdin Vinodh Paul
- 5.Jetlin Jino Paul

...Petitioners

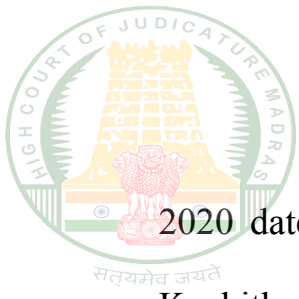
Vs.

- 1.Antony (Died)
- 2.John
- 3.Anitha
- 4.Ruvan
- 5.Rikuva
- 6.Benil
- 7.Mary
- 8.Noel Mon
- 9.Anil Mon
- 10.Vigil Mon

...Respondents

[Respondents 7 to 10 are brought on record as LR's of the deceased 1st respondent vide order dated 29.03.2022 in C.M.P.(MD)No.2411 of 2022]

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the order passed in I.A.No.2 of 2020 in O.S.No.35 of



C.R.P.(MD)No. 2023 of 2021

2020 dated 09.04.2021, pending on the file of the Principal District Munsif, Kuzhithurai, Kanyakumari District and to allow this Civil Revision Petition.

For Petitioners : Mr.T.Kumar

For Respondent No.2 : Ms.J.Anandhavalli

ORDER

This petition has been filed seeking to set aside the order passed in I.A.No.2 of 2020 in O.S.No.35 of 2020 dated 09.04.2021, pending on the file of the Principal District Munsif, Kuzhithurai, Kanyakumari District.

2.Learned Counsel for the petitioners would submit that the petitioners are the plaintiffs in O.S.No.35 of 2020. They filed a suit for declaration, declaring the documents executed by the first defendant in favour of the defendants 2 to 4 as null and void. During the pendency of the suit, the petitioners filed I.A.No.2 of 2020 under Order 32 Rule 12 of CPC, for appointment of Court Guardian for the second defendant who is an insane person. The said petition was dismissed by the trial Court. Challenging the same, the present Civil Revision Petition has been filed.



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3. Though the petitioners have challenged the impugned order, learned Counsel for the petitioners would submit that this Court may permit the petitioner to file appropriate application under Order 32 Rule 15 of CPC before the trial Court.

4. Learned Counsel for the second respondent has no serious objection for the same.

5. In view of the submission made by the learned Counsel for the petitioners, this Civil Revision Petition is dismissed, with liberty to the petitioners to work out their remedy in the manner known to law. There shall be no order as to costs.

09.07.2025

Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The Principal District Munsif,
Kuzhithurai,
Kanyakumari District.
- 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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