



CRP(MD). No.2937 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 16.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CRP(MD). No.2937 of 2025

and

CMP(MD)No.16756 of 2025

Mr.S.Chandrasekar

... Petitioner

Vs.

1.Mr.R.K.Sampath Kumar

2.Mr.S.Baskaran

3.Mr.M.Manoj Kumar

4.Mr.Mohamed Salarudeen

... Respondents

PRAYER :- Civil Revision Petition filed under Article 227 of The Constitution of India, against the order dated 10.07.2025 in I.A.No.13 of 2025 in O.S.No.213 of 2013, passed by the District Munif Court, Melur and to pass such other orders.

For Petitioner : Mr.B.Rajesh Saravanan

ORDER

This Civil Revision Petition had been filed against the order dated



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10.07.2025 in I.A.No.13 of 2025 in O.S.No.213 of 2013, passed by the District Munif Court, Melur.

2. Mr.B.Rajesh Saravanan, learned counsel for the petitioner would submit that the petitioner had filed a suit in O.S.No.213 of 2013 for an injunction restraining the respondents 1 & 2 from interfering with his possession and enjoyment of the suit scheduled property and for a declaration that the Will executed by the first defendant on 05.03.2024 is invalid and also for a declaration to that effect and for an injunction restraining the first respondent from dealing with the suit scheduled property and also for a declaration that the Sale Deed executed by the first respondent in favour of the third and fourth respondents as null and void.

3. He had also filed a suit in O.S.N.424 of 2023 for claiming compensation for damaging the building in the suit scheduled property as against the respondents 1 & 2 and hence, it has become necessary to try both the suits together. Therefore, he had also filed an application for transfer of Tr.O.P.No.216 of 2023 and the same was dismissed. He had also taken out an application to restore the same. Further, he had also



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taken out an application to stay the proceedings in the suit in O.S.No.213 of 2013 for a period of two months.

4. He would submit that the Trial Court without considering the claim of the petitioner had dismissed the application in holding that the transfer petition has been dismissed as early as on 30.06.2025 and that there is no necessity to stay the suit for a period of two months and hence seek indulgence of this Court by contending that the suit is to be proceeded with, without the joint trial of the subsequent suit filed by the petitioner, the petitioner would be put to irreparable loss.

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

6. Admittedly, the petition had been filed by the petitioner seeking to stay of the proceedings in O.S.No.213 of 2013 for a period of two months. A counter affidavit has also been filed by the first respondent as early as in July 2025 and the Court had dismissed the application on 10.07.2025 and the copy of the order had also been delivered to the



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petitioner on 28.07.2025 as evidenced in the seal with regard to the date of copy application and delivery of the copy application made therein.

The petitioner had filed this Revision before this Court on 25.08.2025 and had been listed for admission on 16.10.2025. The period that had been sought for by the petitioner on the pretext that he had proposed to prefer an appeal against the order of dismissal dated 03.06.2025 cannot be a reason for any indulgence to be shown by this Court in the present case. Even according to the petitioner, he wanted stay of the trial in the suit only for a period of two months and the said period of two months is long over and therefore, apart from the reasons assigned by the Court below, this Court is of the view that even the prayer sought for to stay the suit for a period of two months being long over, there is no merits in the Revision and accordingly, the Civil Revision Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is also closed.

16.10.2025

Index : Yes/No
Internet : Yes/No
NCC : Yes/ No
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- 1.The District Munif Court, Melur
- 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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