

C.R.P.(MD)No.3157 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2025

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P.(MD)No.3157 of 2024
and C.M.P.(MD).No.18201 of 2024

1.Sakthivel
2.Navamani

... Petitioners/Petitioners/Respondents 1 and 2/
Defendants 1 and 2

Vs.

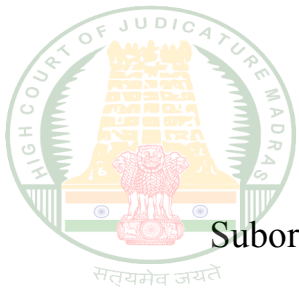
1.Malapillai
2.Dhanasekaran
3.Arulkumaran
4.Manonmani
5.Rukkumani
6.Navarethinam

... 1st Respondent/1st Respondent/Petitioner/
Plaintiff

Thangammal (Died) ... 8th Defendant

7.Latha
8.Durairaj Asari ... Respondents 2 to 8/Respondents 2 to 6, 8 & 9/
Respondents 2 to 6, 8 & 9/Defendants 3 to 7, 9 & 10

PRAYER : Civil Revision Petition is filed under Section 115 of the Civil Procedure Code, to pass an order setting aside the fair and executable order dated 24.07.2024 passed in the application in I.A.No.3 of 2023 in I.A.No.264 of 2018 in O.S.No.99 of 2010 on the file of the



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Subordinate Court, Valliyoor.

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For Petitioner : Mr.J.Barathan

ORDER

This civil revision petition has been filed to set aside the fair and executable order dated 24.07.2024 passed in the application in I.A.No.3 of 2023 in I.A.No.264 of 2018 in O.S.No.99 of 2010 on the file of the Subordinate Court, Valliyoor.

2.This revision has been preferred for scrapping the Commissioner Report that was filed by the Commissioner in the final decree application. The grievance of the petitioner is that he has filed objection to the Commissioner report before the trial Court. But the same was not taken into account. It is still pending. Even though the revision is not maintainable, there shall be a direction to the trial Court to consider the objection made by the revision petitioner at the time of passing the final decree. What ever legal right is available to the petitioner, he can exhaust the same before the trial Court.



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3. With the above said direction, this civil revision petition stands dismissed. No costs. Consequently connected miscellaneous petition is closed.

10.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

1. The Subordinate Judge, Valliyoor.
2. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

TM

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