



WEB COPY

CMP(MD) Nos. 20035



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18-12-2025

CORAM

THE HONOURABLE MR JUSTICE G.R.SWAMINATHAN

CMP(MD) Nos. 20035 & 20038 of 2025

in

Reve.Aplc(MD)SR.No.90909 & 90910 of 2025

In C.M.P.(MD)Nos.20035 of 2025

1. Nabisa Meera
Wife of S. Hussain Rahuman
Old Door No.46/1
New Door No.60
First Floor,
Labbai Street,
Pudupet,
Anna Salai,
Chennai -600002.

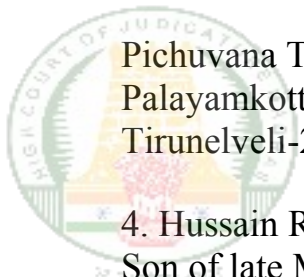
Petitioner(s)

Vs

1. Mymoon Beevi
Wife of late M.Sahul Hammeed
Door No.6
Pichuvana Theru
Palayamkottai
Tirunelveli -2.

2. Mohammed Rabeek
Son of late M.Sahul Hameed
Door No.6
Pichuvana Theru
Palayamkottai
Tirunelveli -2.

3. Sakla
Son of late M.Sahul Hameed
Door No.6



Pichuvana Theru
Palayamkottai
Tirunelveli-2.



4. Hussain Rahuman
Son of late M.Sahul Hameed
Door No.6
Pichuvana Theru
Palayamkottai
Tirunelveli-2.

5. Abdul Nizam
Son of late M.Sahul Hameed
Door No.6
Pichuvana Theru
Palayamkottai
Tirunelveli-2.

6. Aaral
Son of late M.Sahul Hameed
Door No.6
Pichuvana Theru
Palayamkottai
Tirunelveli-2.

7. Mumtaj
Daughter of late M.Sahul Hameed
Door No.6
Pichuvana Theru
Palayamkottai
Tirunelveli-2.

8. Parithal Sulbihar
Wife of A.M.Masthan
Door No.7
Pichuvana Theru
Palayamkottai
Tirunelveli-2.

Respondent(s)

In C.M.P.(MD)No.20038 of 2025

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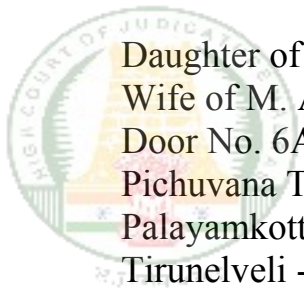
2. Mohammed Rabeek
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4. Hussain Rahuman
Son of late M.Sahul Hameed
Door No.6
Pichuvana Theru
Palayamkottai
Tirunelveli-2.

5. Jakanarah
Daughter of late M.Sahul Hameed
Wife of M.Abdul Rahuman
Door No. 6A
Pichuvana Theru
Palayamkottai
Tirunelveli -2.

6. Mumtaj



Daughter of late M.Sahul Hameed
Wife of M. Abdul Rahuman
Door No. 6A
Pichuvana Theru
Palayamkottai
Tirunelveli -2.

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7. Parithal Sulbihar
Wife of A.M. Masthan
Door No.7
Pichuvana Theru
Palayamkottai
Tirunelveli -2.

8. A. Nallamuthu
Door No. 6/39G-4
Srinivasa Nagar First Street
Kovilpatti
Kovilpatti Taluk
Thoothukudi District.

9. Mummy Fathima
Daughter of Mohammed Hasana Abbas
Door No. 15
Thaikka Street
South Kayalpattinam
Thiruchendur Taluk
Thoothukudi District.

10. Abdul Nizam
Son of late M.Sahul Hameed
Defence Service at
Abdul N.S. RDO/FIT
Signal Section C/o.99 APO.

11. Mariyam Beevi
Wife of Mohaideen
Door No.14
Thaikka Street
South Kayalpattinam
Thiruchendur Taluk
Thoothukudi District.

Respondent(s)



For Petitioner(s):

J. Barathan
R. Raja
Abdul Hameed A

(in both CMPs)



Common Prayer: This Civil Miscellaneous Petition is filed under Order 47 Rule 1 r/w Section 114 of C.P.C t pass an order granting leave to the petitioner/applicant to file the review application challenging the order dated 22/04/2022 passed in S.A.(MD) Nos. 740 & 741 of 2010 on the file of this Court.

COMMON ORDER

These CMPs have been filed seeking grant of leave to file an application to review the Judgment dated 22.04.2022 made in S.A.(MD)Nos.740 & 741 of 2010.

2. I had confirmed the decision of the first appellate Court which in turn confirmed the decision of the trial Court.

3. The learned counsel for the petitioner states that the trial Court as well as the first appellate Court had made a clear observation that the petitioner herein has not been made as party in the suit proceedings.

4. The learned counsel for the petitioner further states that since the petitioner was not made a party to the proceedings, the decree that has now been put to execution is not binding on her.

5. It is open to the petitioner herein to take the said plea before the Executing Court. I am certain that the Executing Court will apply the settled principles of law while considering the aforesaid plea of the petitioner. Leaving open all the contentions and remedies of the petitioner herein, these CMPs are disposed of.



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