



CRP(MD). No.3770 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 15/12/2025

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.3770 of 2025

and

CMP(MD)No.19854 of 2025

1. R.Rajan,
2. R.Manjula,
3. R.Latha,
4. K.Ponnusamy,
5. K.Rajamani,
6. P.Vijayalatha,

... Petitioners / Defendants

Vs

1. Baby,
2. Naveen,
3. B.Sakthi Prabha

... Respondents / Plaintiffs

PRAYER :-

Civil Revision Petition filed under Article 227 of The Constitution of India to set aside the order dated 03.07.2025 in IA No.5 of 2025 in OS No 978 of 2019 on the file of District Munsif cum Judicial Magistrate, Srirangam and allow this Civil Revision Petition.



CRP(MD). No.3770 of 2025

WEB COPY

For Petitioner : Mr. B.E.Ashwin Bala
for M/s.R.B.Law Associates,
Advocate.

For Respondent : Mr.S.I.Muthiah

ORDER

This Civil Revision Petition is filed to set aside the order dated 03.07.2025 in IA No.5 of 2025 in OS No 978 of 2019 on the file of District Munsif cum Judicial Magistrate, Srirangam and allow this Civil Revision Petition.

2. Learned counsel for the petitioner submitted that the respondents herein are the plaintiffs who have filed O.S.No.861 of 2008 renumbered as O.S.No.978 of 2019 on the file of the District Munsif cum Judicial Magistrate, Srirangam. In the suit, the petitioners herein have filed a petition in I.A.No.5 of 2025 seeking reopen the case for PW1 and PW2 for cross examination. The same was dismissed by the trial Court. He further submitted that the petitioners herein / defendants have filed O.S.No.1281 of 2008 on the file of the II Additional District Munsif, Tiruchirappalli and the same was renumbered as O.S.No.920 of 2019 on



CRP(MD). No.3770 of 2025

the file of the District Munsif Court, Srirangam. A joint memo for joint trial was filed by both the counsels in the suit and the same was ordered on 29.08.2011 and 30.08.2011 in the docket entry of O.S.No.978 of 2019. Since the cross examination of PW1 and PW2 was closed on 02.07.2025, the present application is filed. The trial Court, without noticing that there is an order of joint trial in both the suit, has independently proceeded to get along with the two suits separately. The only grievance raised by the petitioner is that the trial court is proceeding to conduct separate trial in both the suits.

3. The trial court has taken into consideration the docket entry made in O.S.No.978 of 2019 that the said case were transferred from the III Additional District Munsif Court, Tiruchirapalli and renumbered and pending on the file of the District Munsif Court, Srirangam. The court has also recorded that unfortunately, both suits were heard separately and posted for trial, the court has further observed that PW.1 and PW.2 were already examined by the trial court and the respondent could not cross examine the PW1 and P.W.2. However, on 2/7/2025 the trial Court has not accepted the same for joint trial and closed the evidence of.



CRP(MD). No.3770 of 2025

WEB COPY

4. Learned counsel for the respondents submits that in an earlier occasion, the recall petition was allowed by the trial Court on cost of Rs.1000/-.

5. In view of the above submission, this Court is inclined to allow the I.A.No.5 of 2025, on payment of cost of Rs.1000/-. On such payment, the trial Court shall reopen the case for PW1 and PW2 for cross examination.

6. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition stands closed.

15.12.2025

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

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CRP(MD). No.3770 of 2025

To

1. The District Munsif cum Judicial Magistrate, Srirangam.
2. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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N.SENTHILKUMAR, J

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