



WEB COPY

CRP No. 501 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 501 of 2026 and

CMP No.2727 of 2026

Sathiyaraj
S/o. Paramanathan,
No.14, MIG Housing Board,
Vilvanagar,
Cuddalore - 1.

..Petitioner(s)

Vs

1. Radha, W/O. Rathinam,
No.20, Dr.Ambedhkar Nagar,
Thiruvizhandhur, Mailaduthurai.
2. Saroja, W/o.Ramamurthi,
No.222/9, Kathavarayan Kovil St,
P.N.Palayam, Melpattampakkam,
Panruti Tk, Cuddalore.
3. Vanaja, W/o.Murugesan,
12/F, Red Cross St,
Nellikuppam,
Main Road, Cuddalore 1.
4. Malliga, W/o.Shanmugam,
No.14, Sasthri Nagar,
Vellanur, Alamathi Road, Avadi
Chennai 62.
5. Saravana, S/o.Ramasamy,
Puthukoil, Thottapattu Village and Post,
Cuddalore Tk.



6. Bathrachalam, S/o.Ramasamy,
No.12/F, Red Cross St, Nellikuppam,
Main Road, Cuddalore 1.
Govindaraj (Died)
7. Vijayakannan, S/o.Govindaraj,
No.88, Mariyamman Koil St,
Thottapattu Village, Cuddalore Taluk.
8. Vijayaannathan, S/o.Govindaraj,
NO.88, Mariyamman Kovil St,
Thottapattu Village,
Cuddalore Tk.
9. Vasugi, W/o.Govindaraj,
No.88, Mariyamman Kovil St,
Thottapattu Village, Cuddalore Dist.

..Respondent(s)

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the impugned fair and decretal order dated 20.9.2025 made in IA.No. 231/2025 in OS.No. 178/2010 on the file of Additional District Munsif Court, Cuddalore.

For Petitioner(s): Mr.R.Rajavelavan

ORDER

This Civil Revision Petition is filed, challenging the order passed by the Trial Court, dismissing the application filed by the petitioner/2nd defendant seeking to stay of further proceedings in the present suit in O.S.No.178 of 2010 till the disposal of the suit filed by the petitioner in O.S.No.141 of 2012.



2. The respondents 1 to 6/ plaintiffs filed a suit in O.S.No.178 of 2010 seeking declaration of title and injunction in respect of suit A and B schedule properties described in the plaint as against the defendants 1 to 5, in which the petitioner herein is the second defendant. The petitioner herein filed yet another suit in O.S.No.141 of 2012 on the file of Sub Court, Cuddalore in respect of B schedule property, seeking declaration of title and injunction against the sixth respondent herein alone.

3. The instant application has been filed by the petitioner/second defendant seeking stay of the present suit in O.S.No.178 2010 on the ground that he has no claim over the suit A schedule property and in respect of suit B schedule property, another suit has been filed by him and therefore, the present suit shall be stayed. The said application was dismissed by the Trial Court. Aggrieved by the same, the petitioner has come before this court.

4. The learned counsel for the petitioner vehemently would contend that the petitioner has no claim over the A schedule property, as per the averments made in the plaint by the respondents/plaintiffs. Therefore, the dispute is only in respect of B schedule property alone. He would further contend that in respect of B schedule property, the petitioner filed another suit in O.S.No.141 of 2012 seeking declaration of title and injunction and the said suit is in the stage of arguments. Therefore, the present suit shall be stayed.



5. It is seen from the typed set of papers that in the suit filed by the petitioner in O.S.No.141 of 2012, the sixth respondent herein/ sixth plaintiff, namely Badrachalam alone was added as a party/sole defendant and other respondents /plaintiffs 1 to 5 were not added as parties. Further, in the above said suit filed by the petitioner herein, B schedule property alone was shown as suit property. Therefore, the subject matter of the property in both the suits are not one and the same and the parties are also different. In such circumstances, the petitioner has not made out any case for staying the present suit. It is also seen from the typed set of papers that in the present suit, the petitioner already filed an application in I.A.No.515 of 2023 under Section 10 of CPC seeking stay of trial in the main suit and the same was dismissed by the Trial Court by order dated 18.06.2025. Since the petitioner has not made out the case for staying the present case, this court is not inclined to interfere with the order passed Trial Court.

6. Accordingly, this civil revision petition is dismissed. However, it is open to the petitioner to file a transfer application seeking tagging of both the suits. There shall be no order as to costs. Connected miscellaneous petition is closed.

06-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MST



CRP No. 501 of 2



To

The Additional District Munsif, Cuddalore.

WEB COPY



WEB COPY

CRP No. 501 of 2



S.SOUNTHAR, J.

MST

CRP No. 501 of 2026

06-02-2026