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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Revision Petition No.7218 of 2026
and C.M.P.No.31134 of 2026

CNR: {HCMA012368002026}

Case QR

1. K.Devanthiran
   S/o. Kandasamy

2. K.Chandiran
   S/o. Kandasamy

3. Sathasivam
   S/o. Kandasamy

4. Krishnaveni
   W/o.Late Ramasamy

..Petitioners

Vs

Mathanlal D.Chawla
S/o.Thavuladram

..Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 08.08.2026 made in I.A.No.3 of 2026 in O.S.No.6 of 2025 on the file of II Additional District Munsif Court, Salem.

For Petitioners : Mr.S.Arjun

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ORDER

This civil revision petition has been filed under Article 227 of the Constitution of India against the order dated 08.08.2026 passed in I.A.No.3 of 2026 in O.S.No.6 of 2025 by the II Additional District Munsif Court, Salem, wherein the application filed by the petitioners/defendants under Section 10 CPC to stay the suit, came to be dismissed by the Court below.

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Order QR

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2. Heard learned counsel for petitioners and carefully perused the materials available on record. This Court also went through the impugned order.

3. The respondent/plaintiff filed O.S.No.6 of 2025 seeking the relief of declaration to declare the partition deed dated 15.07.2009 as null and void and not binding on the respondent/plaintiff and for permanent injunction. The petitioners 1 and 2 have filed the suit in O.S.No.282 of 2024 seeking the relief of declaration to declare the sale deed dated 22.09.2010 as null and void and not binding on the petitioners 1 and 2/plaintiffs and for other consequential reliefs. I.A.No.3 of 2026 in O.S.No.6 of 2025 was filed by petitioners/defendants to stay the suit in O.S.No.6 of 2025 since already a suit has been filed, which is pending in O.S.No.282 of 2024.

4. The Court below, after considering the rival contentions, came to a conclusion that both the suits are pending before the same Court and therefore, the Court will conduct simultaneous trial in both cases and there is no need for staying the suit in O.S.No.6 of 2025. The order passed by the Court below does not suffer from any perversity warranting interference of this Court.

5. Learned counsel for petitioners submitted that the Court below went wrong in concluding that simultaneous trial will be conducted instead of a joint trial.

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6. The trial is conducted by the Court below and the trial court is the best Judge to decide whether suits should be tried jointly or simultaneously. This Court, exercising its jurisdiction under Article 227 of the Constitution of India, cannot adorn the role of the trial court and decide whether the trial is to be conducted jointly or simultaneously. Such a decision taken by the trial court should not ordinarily be interfered with by this Court in exercise of its supervisory jurisdiction under Article 227 of the Constitution of India. The fact that both suits will be tried simultaneously sufficiently addresses the grievances of both parties.

Accordingly, the impugned order is sustained and this civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

18-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
gm

To
The II Additional District Munsif Court,
Salem.

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N.ANAND VENKATESH, J.

gm

Civil Revision Petition No.7218 of 2026

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