



C.R.P. (MD) No. 2342 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2026

C O R A M

THE HONOURABLE MR.JUSTICE **N.SENTHILKUMAR**

C.R.P.(MD) No. 2342 of 2022

and

C.M.P. (MD) No. 11322 and 11346 of 2022

1.X.Leelamary

2.P.Xavier

... Petitioners

Vs.

1.A.Anthonysamy

2.A.Johnkumar

... Respondents

PRAYER: Petitions filed under Article 227 of the Constitution of India to call for the records of the Principal District Court, Thanjavur in TR.O.P.No.113 of 2022 and set aside the fair and decreetal order dated 13.10.2022.

For Petitioner : Ms.P.Kalaiyarasi Bharathi

For Respondents : Mr.N.Tamilmani

ORDER

The Civil Revision Petition invoking under Article 227 of the Constitution of India has been filed to set aside the order in TR.O.P.No.113 of 2022, dated 13.10.2022, on the file of the Principal District Court, Thanjavur



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(hereinafter referred to as 'Trial Court' for the sake of clarity and convenience).

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2.Heard Ms.P.Kalaiyarasi Bharathi, learned Counsel for the Petitioner and Mr.N.Tamilmani, learned Counsel for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

3.The Petitioner and her husband had filed TR.O.P.No.113 of 2022 on the file of the Principal District Court, Thanjavur for clubbing of three suits in O.S.No.364 of 2014 on the file of the Additional District Munsif Court, Thanjavur, O.S. No. 409 of 2013 and O.S. No. 103 of 2022 on the file of the Principal District Munsif Court, Thanjavur. The Trial Court by order dated 13.10.2022 rejected the said application, which is assailed in this Civil Revision Petition.

4.On a perusal of the materials placed on record that too a specific reference to the complaints, parties to the suit and the properties involved, it is noticed that the suit in O.S.No.364 of 2014 on the file of the Additional District Munsif Court, Thanjavur is different as it relates to the property situated in Sanoorpatti Village in S.No. 8/1. The other two suits on the file of the Principal District Munsif Court, Thanjavur in O.S. No. 409 of 2013 and O.S. No. 103 of



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2022 relate to the properties in Sengipatti Village in Survey Nos. 112/5, 191/21, 112/7 and 191/2H. Though survey numbers are shown to be different in the suits before the Trial Court, the fact remains that the parties are same in those two suits. In such circumstances, it would be appropriate to have a joint trial of the suits in O.S.No. 409 of 2013 and O.S.No.103 of 2022 before the Trial Court. However, in respect of O.S.No.364 of 2014, as already noticed, the property is in different village and as such question of clubbing the said suit with other two suits would not arise at all.

5.In the result, the order passed by the Trial Court requires to be modified to the effect that there is joint trial of the suits in O.S. No. 409 of 2013 and O.S. No. 103 of 2022 as the suits are relating to actual location of the properties.

6.In respect of O.S. No. 364 of 2014 on the file of the Additional District Munsif Court, Thanjavur, though this Court is not inclined to order a joint trial, as it is represented by the learned Counsel for the Respondent that the trial has not been commenced, the Suit in O.S. No. 364 of 2014 is transferred from the file of the Additional District Munsif Court, Thanjavur to the Principal District Munsif Court, Thanjavur to be decided separately. Since the issue is pending from the year 2013, it shall be ensured that there is atleast two effective



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hearings every month showing progress of the case, and the Trial Court shall send monthly reports to the Registrar (Judicial) of this Court till the final order is passed.

7.In the result, the Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

20.01.2026

Index : Yes/No
NCC : Yes/No
cmr

To:-

- 1.The Additional District Munsif Court, Thanjavur.
- 2.The Principal District Munsif Court, Thanjavur
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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N.SENTHILKUMAR, J.

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C.R.P.(MD)No.2342 of 2022

20.01.2026