



C.R.P. (MD) No. 3259 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2026

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

**C.R.P. (MD) No. 3259 of 2023
and
C.M.P.(MD) No. 16832 of 2023**

k. Dhanalakshmi

... Petitioner

-VS-

1. Karuppathal

2. Pushba @ Muthulakshmi

3. Palanichamy

4. Selvan

5. Nattudurai

6. Geetha

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the fair and decreetal order in I.A.No. 806 of 2022 in O.S.No. 558 of 2017 on the file of the learned Principal District Munsif, Dindigul, dated 07.10.2023 by allowing this Civil Revision Petition.

For Petitioner : Mr.K.Guhan,
for Mr.V.Muthu Kamatchi

For R-1 & R-6 : Mr.D.Venkatesh

For R-2 to R-5 : No Appearance



C.R.P. (MD) No. 3259 of 2023

ORDER

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This Civil Revision Petition invoking under Article 227 of the Constitution of India has been filed challenging the Order dated 07.10.2023 in I.A.No. 806 of 2022 in O.S.No.558 of 2017 on the file of the Principal District Munsif, Dindigul (hereinafter referred to as the 'Trial Court' for short).

2. The parties are hereinafter referred to as by the description in the suit in O.S.No.558 of 2017 before the Trial Court for the sake of clarity and convenience.

3. Heard Mr. K.Guhan, Learned Counsel for Mr. K.Muthu Kamatchi, Learned Counsel appearing for the Plaintiff and Mr. D.Venkatesh, Learned Counsel appearing for First and Sixth Defendants and other parties were remained exparte despite service of notice and perused the materials placed on record, apart from the pleadings of the parties.

4. It is not in dispute that three suits in O.S.Nos. 305 of 2017, 558 of 2017 and 580 of 2017 were directed to be posted before the same Court, viz., the Principal District Munsif Court, Dindigul, by Order dated 05.01.2019 in Tr.O.P. No. 82 of 2018 by the learned Principal District Judge, Dindigul, with



C.R.P. (MD) No. 3259 of 2023

the clarification that the Transferee Court has to be decided whether both the cases have to be tried jointly or simultaneously.

5. The Plaintiff, who filed an application in I.A.No. 806 of 2022 in O.S.No. 558 of 2017, had wanted the suits to be tried simultaneously, whereas, the First and Sixth Defendants, viz., Karuppathal and Geetha had opposed the joint trial and contended that the matter has to be done separately. The Trial Court rejected the application and against which, the Civil Revision Petition has been preferred.

6. After perusal of the copies of the complaints in three suits with reference to the parties and the properties, it is evidenced that it relates to the same subject matter between the parties and only common evidence would be the appropriate Court to follow in order to avoid multiplicity of proceedings and conflict of judicial views. If on the contrary, the matters are tried separately, it would cause great inconvenience not only to the parties but also it leads to multiplicity of proceedings which has to be avoided.

7. As such, this Court is of the considered view that the Trial Court failed to exercise its jurisdiction resisted in it by ordering joint trial, at the same time, it



C.R.P. (MD) No. 3259 of 2023

has to be made clear that though the evidence has to be recorded in common, it shall be incumbent upon the trial Court to decide the issues arising out of each suits specifically and render decision. It shall be ensured by the Trial Court that there is atleast one effective hearing in every month showing progress of the case and quarterly reports in that regard shall be sent to the Registrar (Judicial) of the Court till final orders are passed in the case.

In fine, the Civil Revision Petition is ordered on the aforesaid terms. Consequently, connected Miscellaneous Petition is closed. No costs.

20.01.2026

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Index : Yes/No

Internet : Yes/No

Note: If the quarterly report is not received from the Trial Court or it is reported either of the parties are not cooperating to comply with the aforesaid order, the matter shall be listed before the Court.

To

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



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C.R.P. (MD) No. 3259 of 2023

N.SENTHILKUMAR, J.

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C.R.P. (MD) No. 3259 of 2023

20.01.2026