



CRP(MD). No.52 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24/02/2026

CORAM

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

CRP(MD). No.52 of 2026
And
C.M.P(MD).No.233 of 2026

1. Nagarathinam,
2. N.Balakrishnan,

... Petitioners

Vs

1. Indrani,
W/o. Late. Megavarnam,
2. Kalaiarasi,
D/o. Late. Megavarnam,
3. A.Ramayya,
S/o. Athiyakonar,
4. N.Athishesan,
S/o. Nagarathinam,

... Respondents

PRAYER :- Civil Revision Petition filed under Article 227 of The Constitution of India to set aside the Docket order passed in IA No.4 of 2025 in IA No.3 of 2025 in IA No.392 of 2022 in OS No.92 of 2022, on the file of the District Munsif Court, Vadipatti, dated 15.10.2025 by allowing this Civil Revision Petition.



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For Petitioner : Mr.Praveen
For R1 and R2 : Mr.M.Thillai Nish
For R3 and R4 : Mr.P.S.Yashwanth
Legal Aid Counsel

ORDER

This Civil Revision Petition has been filed challenging the order passed in I.A.No.4 of 2025 in I.A.No.3 of 2025 in I.A.No.392 of 2022 in O.S.No.92 of 2022, on the file of the District Munsif Court, Vadipatti, dated 15.10.2025.

2. The respondents 1 and 2 have filed a suit for permanent injunction and temporary injunction against the respondents 3 and 4 in O.S.No.92 of 2022 on the file of the District Munsif Court, Vadipatti. Thereafter, the respondents 1 and 2 filed a petition for temporary injunction in I.A.No.392 of 2022, due to the non-appearance of the respondents 1 and 2, the petition was dismissed for default on 06.11.2024.

3. To set aside the order of dismissal for default, the respondents 1 and 2 have filed I.A.No.3 of 2025 in I.A.No.392 of 2022 and the same



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was allowed on 04.08.2025 with the condition of payment of Rs.500/-.

The above said condition was not complied by the respondents 1 and 2 and therefore, the above petition was dismissed. Thereafter, the respondents 1 and 2 filed a petition to enlarge the period for payment of Rs.500/- in I.A.No.4 of 2022 and the same was allowed on 15.10.2025, on payment of Rs.200/- on or before next hearing. Challenging the above condition, the present Civil Revision Petition is filed.

4. The learned counsel for the petitioner submitted that the respondent has not produced any documentary or oral evidence to substantiate the reasons stated in the affidavit and that the learned trial Judge did not afford an opportunity to file a counter affidavit. He further submitted that while allowing the said petition, the petitioner's arguments were not heard. He also contended that the respondents are deliberately employing such tactics to prolong the proceedings with mala fide intent. Hence, he prayed that this petition be allowed.

5.The learned counsel for the respondents submitted that after hearing both sides and perusing the materials, the learned Judge



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imposed the aforesaid condition and therefore, prayed for the dismissal of this petition.

6. Heard both sides and perused the materials available on record.

7. This Court does not find any infirmity in the order passed in IA No.4 of 2025 in IA No.3 of 2025 in IA No.392 of 2022 in OS No.92 of 2022, on the file of the District Munsif Court, Vadipatti, dated 15.10.2025. Hence, this Civil Revision Petition is dismissed. The High Court Legal Services Committee attached to this Bench shall pay a sum of Rs. 10,000/- (Rupees Ten Thousand only) towards remuneration to the legal aid counsel appointed by this Court for respondents 3 and 4, for his assistance. No Costs.

24.02.2026

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TO

The District Munsif Court, Vadipatti.

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N. SENTHILKUMAR,J

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ORDER
IN
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Date : 24/02/2026