



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

**C.R.P. (MD) (PD) Nos. 645, 646 and 647 of 2018**  
**and**  
**CMP (MD) .No.2802 of 2018**

Anna ... Petitioner in all petitions  
Vs

Samivel (Died)

1.Senguttuvan  
2.Sibi  
3.Cheralathan

... Respondents in all petitions

**COMMON PRAYER:** Petitions filed under Article 227 of the Constitution of India to call for the records pertaining to the order dated 18.09.2017 made in unnumbered I.A.Nos.SR4489, SR4491 and I.A.SR4493 of 2017 in O.S.No.168 of 2007 on the file of the Principal District Judge, Madurai.

In all petitions

For Petitioner: Mr.T.Vadivelan

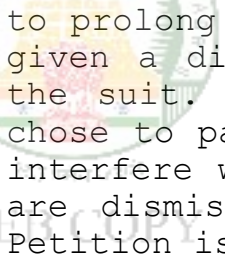
For R1 : Mr.A.Thiagarajan  
Government Advocate

For R2 : No appearance

**COMMON ORDER**

The petitioner in all these civil revision petitions is figuring as seventh defendant in O.S.No.168 of 2007 on the file of the learned Principal District Judge, Madurai. He took out three Interlocutory Applications. One for rejection of plaint, second for dismissing the suit on the ground of non-joinder of necessary parties and mis-joinder of unnecessary parties and third under Order 12 Rule 6 of C.P.C. All these three Interlocutory Applications were not numbered and rejected. Questioning the same, these Civil Revision Petitions have been filed.

2. It is not in dispute that the suit is one for partition. It was filed way back in the year 1989 before the Subordinate Court, Thiruchirapalli. The plaintiff's side is already over. In these circumstances, the learned trial Judge took the view that the matter should be taken up on merits and that allowing the parties to file one Interlocutory Application, after another, would only needlessly



to prolong the litigation. It is also seen that the High Court has given a direction on atleast two occasions for speedy disposal of the suit. It is only in this background the learned trial judge chose to pass the impugned order of rejection. I find no ground to interfere with the same. Therefore, these Civil Revision Petitions are dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

Sub Assistant Registrar

To

The Principal District Judge, Madurai.

+1CC to Mr.T.VADIVELAN , Advocate SR.No.50731.

+3CCs to Mr.A.THIGARAJAN , Advocate SR.Nos. 50614 TO 50616

C.R.P. (MD) (PD) Nos. 645, 646  
and 647 of 2018

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