



CRP NO. 850 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRP No. 850 of 2025 & CMP No.5082 of 2025

M.P.N.Ezhil Arasu
S/o.Late M.P.Natarajan, Old NO.29A, New No.8, Cathedral
Garden Road, Nungambakkam, Chennai-600034 and another

Petitioner(s)

Vs.

M.P.N.Pardiban
S/o.Late M.P.Natarajan, Old NO.29, New No.10, Cathedral
Garden Road, Nungambakkam, Chennai-600034 and 3 Others

Respondent(s)

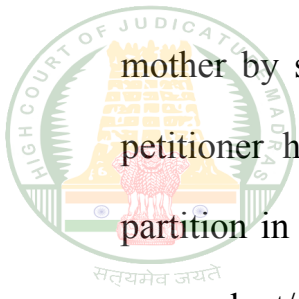
For Petitioner(s): Mr.D.Manimaran

For Respondent(s): Mr. P.Gurunathan, AGP(CS) For R4.

ORDER

The above civil revision petition is filed seeking to strike off the plaint in O.S.No.5332 of 2023 on the file of VII Assistant City Civil Court, Chennai.

2.Learned counsel for the petitioners would submit that the petitioners are defendants in O.S.No.5332 of 2023 filed by the first respondent/plaintiff before the VII Assistant Judge, City Civil Court, Chennai. The first respondent/plaintiff is their elder brother. Earlier, the first respondent/plaintiff had filed a suit for partition in O.S.No.5463 of 2013 before the VI Additional City Civil Court, Chennai, in respect of three properties and in that suit, the trial Court finding that 'C' schedule property was already settled by their father in favour of their



mother by settlement deed dated 20.11.2009 and later it was settled in favour of the first petitioner herein, had allowed the suit in part and had passed a preliminary decree for partition in respect of 'A' and 'B' schedule properties. Aggrieved by the said order, the first respondent/plaintiff has filed A.S.Nos.627 of 2016 and 452 of 2022 and this Court, based on the Commissioner's Report, had allowed the appeal in part on 27.09.2023. Again, the first respondent/plaintiff has filed O.S.No.5332 of 2023 seeking direction to the fifth defendant to cancel the settlement deed dated 20.11.2009. Seeking to strike off the plaint in O.S.NO.5332 of 2023, the present revision has been filed.

3. Notice to the respondents returnable in two weeks. Private notice is also permitted. Learned counsel for the petitioners is permitted to serve notice on the counsel appearing for the respondent before the trial Court.

4. Post after two weeks.

12-03-2025

raa



WEB COPY

A.D.JAGADISH CHAND



CRP No. 850 of 2025

& CMP No.5082 of 2025

12.03.2025