



CRP No. 1771 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1771 of 2026

and

CMP.No.8051 of 2026

1. T.Umarani
W/o. Late Jayaraman, D.No25/13,
Ramasamy Naidu Street, Dharmapuri
Town, Taluk and District.

Petitioner(s)

Vs

1. Sathiyapriya
D/o. V.R.Viswanathan, 14/2, 3rd Cross,
Naveen Complex, Vaiyapuri Nagar,
Karur Town, Karur Taluk and District.

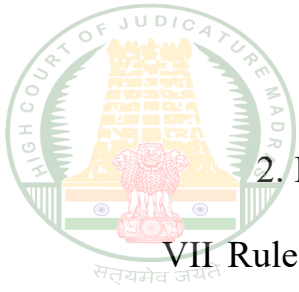
Respondent(s)

For Petitioner(s): MR.A.Arun

For Respondent(s):

ORDER

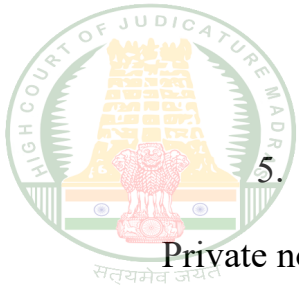
Challenging the impugned order passed by the learned trial Judge in
I.A.No.1 of 2025 in O.S.No.123 of 2025, the 5th defendant has preferred this
revision.



2. Before the trial Court, the plaintiff filed I.A. No.1 of 2025 under Order VII Rule 11 CPC, contending that there is no cause of action to maintain the present suit. It was stated that as per the partition deed dated 05.05.1997, the 'A' schedule property was allotted to one V.K. Ramalingam. Subsequently, on 19.09.2007, the 4th defendant purchased the said property, and thereafter, the 5th defendant purchased the same on 06.10.2008. Ever since, the 5th defendant has been in possession of the property as its absolute owner. It is further contended that the plaintiff, who is the granddaughter of V.K. Ramalingam, has filed the present suit with a false claim, alleging that her grandfather had only a limited interest and no right to convey the property, by misinterpreting the terms of the partition deed dated 05.05.1997. However, the trial Court failed to properly appreciate the recitals of the partition deed and erroneously dismissed the application. Aggrieved by the same, the present revision has been filed.

3. The learned counsel for the petitioner submitted that the recitals of the partition deed dated 05.05.1997, particularly as extracted in Ground No.7(1), clearly show that in respect of 'A' schedule Item No.1, absolute rights were conferred, whereas only in respect of Item No.2, a life interest was granted. This distinction was not properly appreciated by the trial Court.

4. The reasons assigned by the petitioner appear to be prima facie justifiable.



5. Admit. Issue notice to the respondent, returnable by 22.06.2026.

Private notice is permitted.

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6. The entire suit proceedings in O.S.No.123 of 2025, on the file of the Principal Subordinate Court, Dharmapuri, are stayed till 22.06.2026.

7. Post the case on 22.06.2026.

22-04-2026

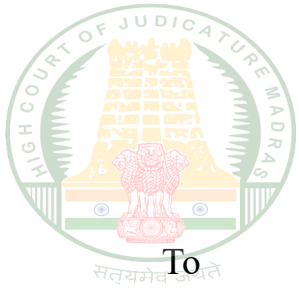
Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

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1.Sathiyapriya

D/o. V.R.Viswanathan, 14/2, 3rd Cross,
Naveen Complex, Vaiyapuri Nagar,
Karur Town, Karur Taluk and District.

2.The Principal Subordinate Judge,
Dharmapuri.



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T.V.THAMILSELVI J.
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