

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Fourteenth day of March Two Thousand and Twenty Three

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PRESENT

The Hon`ble Mr.Justice C.SARAVANAN

CRP(MD) Nos.647 & 648 of 2023
and
CMP(MD) Nos.3010 & 3011 of 2023

1 SIVAGAMI

2 MAHALAKSHMI

3 VIJAYA

4 PARIMALA

... REVISION PETITIONERS/REVISION PETITIONERS/
RESPONDENTS/TENANTS
in BOTH THE CASES

Vs

1 HAJI SHEK IBRAHIM SAHEB (P)TRUST,
THANJAVUR REPRESENTED BY ITS MANAGING TRUSTEE,
MUBARAKJAN,
IBRAHIM TOWERS,
NO.1096, KEELAPRATHANA VEETHI,
THANJAVUR.

... RESPONDENT/RESPONDENT/PETITIONER/LANDLORD
in BOTH THE CASES

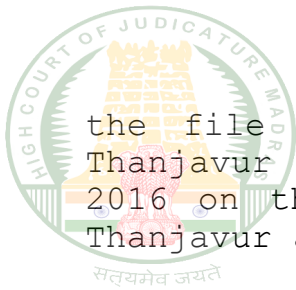
2 SOUNDARAJAN
LINGATHADI MEDU,
KEELAMATHOOR,
THANJAVUR TALUK CUM MUNSIF.

... RESPONDENT/RESPONDENT/
RESPONDENT/TENANT
in BOTH THE CASES

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to call for the records in pertaining to th order and decreetal order dated 28.10.2021 passed in C.R.P. No. 8 of 2017 on the file of the Second Additional District cum Sessions Court, Thanjavur confirmed the order dated 09.01.2017 in P.T. No. 89 of 2015 on the file of the Special Deputy Collector, Revenue Court, Thanjavur and set aside the same.

Prayer in CRP(MD). 648/ 2023 :

Civil Revision Petition filed under Article 227 of The Constitution of India to call for the records in pertaining to th order and decreetal order dated 29.10.2021 passed in C.R.P. No. 14 of 2017 on



the file of the Second Additional District cum Sessions Court, Thanjavur confirmed the order dated 11.05.2017 in P.T. No. 557 of 2016 on the file of the Special Deputy Collector, Revenue Court, Thanjavur and set aside the same.

Prayer in CMP(MD). 3010/ 2023 :

To stay the operation of the order and decreetal order dated 28.10.2021 passed in C.R.P. No. 8 of 2017 on the file of the Second Additional District cum Sessions Court, Thanjavur conformed the order dated 09.01.2017 in P.T. No. 89/2015 on the file of the Special Deputy Collector, Revenue Court, Thanjavur.

Prayer in CMP(MD). 3011/ 2023 :

To stay the operation of the order and decreetal order dated 29.10.2021 passed in C.R.P. No. 14 of 2017 on the file of the Second Additional District cum Sessions Court, Thanjavur conformed the order dated 11.05.2017 in P.T. No. 557/2016 on the file of the Special Deputy Collector, Revenue Court, Thanjavur.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.RAJARAMAN, Advocate for the petitioner in both the cases, the Court made the following order:-

The dispute in these two civil revision petitions arise out of orders passed in P.T.No.89 of 2015, dated 09.01.2017 and in P.T.No.557 of 2016, dated 11.05.2017 on the file of the Sub Deputy Collector, Revenue Court, Thanjavur pertains to Fasli year 1386 to 1411 (1976 -2021).

2. The petitioners' brother, namely, C.Soundararajan has filed a petition against the order passed in C.R.P(MD)No.6 of 2017, dated 29.10.2021 on the file of Second Additional District and Sessions Court, Thanjavur. The petitioners, who were the other parties in P.T.No.89 of 2015, dated 09.01.2017 preferred C.R.P(MD)No.1008 of 2017 which has been disposed of by the Second Additional District and Sessions Judge, Thanjavur.

3. Considering the fact that already there is an interim stay by this Court in C.R.P(MD)No.403 of 2023 filed by C.Soundararajan (fifth respondent in P.T.No.89 of 2015) subject to the petitioners' brother paying a sum of Rs.3,00,000/- on or before 21.03.2023. Therefore, there shall be an order of interim stay in C.M.P(MD) No.3010 of 2023 in C.R.P(MD)No.647 of 2023 subject to payment of aforesaid amount as ordered by this Court vide its order, dated 21.02.2023.

4. As far as C.R.P(MD)No.648 of 2023 is concerned, which arise out of order passed in P.T.No.557 of 2016 by the Sub Deputy Collector, Revenue Court, Thanjavur on 11.05.2017, which is a subject in C.R.P(MD)No.648 of 2023. The petitioners are required to pay a sum of Rs.8,56,454/-. There shall be an order of interim stay



subject to the petitioners paying 50% of the aforesaid amount to the respondent trust within a period of four weeks from today.

5. Issue notice to the respondents returnable by four weeks. Private notice is also permitted.

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6. Post after four weeks along with C.R.P(MD)No.403 of 2023.

sd/-

14/03/2023

/ TRUE COPY /

/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, THANJAVUR.

2 `THE SPECIAL DEPUTY COLLECTOR
REVENUE COURT, THANJAVUR AT THIRUVAIYARU.

+2. C.C. to M/S.R.RAJARAMAN Advocate SR.No.4158, 4159

ORDER

IN

CRP(MD) Nos.647 & 648 of 2023
and

CMP(MD) Nos.3010 & 3011 of 2023

Date :14/03/2023

SS/MMS/SAR I/20/03/2023/3P/5C