



CRP(MD). No.3919 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 19.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

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Sakthivel

... Petitioner

Vs

1.N.Pandi

2.N.Ravi

3.Guna @ Gunasekaran

4.Rani @ K.Nagadevi

... Respondents

PRAYER :-Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, to set aside the order passed in C.M.A.No.1 of 2021 on the file of the Principal Sub Court, Madurai, dated 17.08.2023.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.K.Navaneetha Raja for R1 & R2

Mr.Mauria Sekara Prakash for R3 & R4
(Legal aid counsel)

ORDER

This Civil Revision Petition has been filed challenging the order passed in C.M.A. No.1 of 2021 on the file of the Principal Sub Court, Madurai, dated 17.08.2023.



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2. Heard the learned counsel appearing for the petitioner as well as the respondents.

3. The brief facts leading to the filing of the present revision are that the respondent in the revision petition was set ex parte in the suit in O.S. No.333 of 2015. Thereafter, an application was filed to set aside the ex parte order. The matter was taken on appeal by way of a Civil Miscellaneous Appeal before the Principal Sub Court, Madurai. The Appellate Court, on consideration of the materials placed before it, remanded the matter to the District Munsif Court for fresh consideration with a direction to mark certain documents.

4. Challenging the said order of remand passed by the Appellate Court, the present Civil Revision Petition has been filed.

5. The only question that arises for consideration is, whether the Appellate Court has the power to remand the matter to the Trial Court? On perusal of the records, this Court is of the view that the Appellate Court is vested with the jurisdiction to remand the matter for fresh



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consideration, particularly when it finds that certain documents require to be considered by the Trial Court.

6. Therefore, this Court does not find any infirmity or illegality in the order passed by the Appellate Court warranting interference in this Civil Revision Petition.

7. Accordingly, this Civil Revision Petition is dismissed as devoid of merits. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

19.02.2026

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To

1. The Principal Subordinate Judge, Madurai.

2. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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N.SENTHILKUMAR, J.

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