



CRP(MD). No.3265 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 19.02.2026

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THE HONOURABLE MRS. JUSTICE N.SENTHILKUMAR

CRP(MD).No. 3265 of 2025 and
CMP(MD).No.18003 of 2025

Abdul Jabar @ R.A. Jabar

... Petitioner

Vs

1.Saroja
2.M.Kanaga
3.M.Kousalya
4.M.Prabha
5.M.Shanmugapriya
6.M.Manyarasan

... Respondents

PRAYER :- Civil Revision Petitions filed under Section 115 CPC against the fair and decreetal order dated 28.08.2025 passed in I.A.No.6 of 2025 in O.S.No.1005 of 2014 on the file of the II Additional District Munsif Court, Thiruchirappalli.

For Petitioner : Mr.B.Pragash

For respondents 1 to 6 : Mr.N.Sudhagar Nagaraj

ORDER

This Civil Revision Petition has been filed against the fair and decreetal order dated 28.08.2025 passed in I.A.No.6 of 2025 in O.S.No.1005 of 2014 on the file of the II Additional District Munsif

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2. The learned counsel appearing for the revision petitioner submitted that one Murugesan, who was the first defendant in the suit in O.S. No. 1005 of 2014, was set ex parte. An application to set aside the ex parte order was filed by him, which came to be dismissed. Thereafter, the present application was filed by the legal heirs of the said Murugesan. The trial Court allowed the said application on the ground that they are necessary parties to the suit. Challenging the same, the present Civil Revision Petition has been filed.

3. Per contra, the learned counsel appearing for the respondents submitted that the application filed by the said Murugesan in I.A. No. 1 of 2022 to set aside the ex parte order was dismissed. Thereafter, the present application was filed by his legal heirs, who were not aware of the earlier proceedings.

4. This Court has considered the submissions made on either side.



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5. Considering the fact that the suit is one for bare injunction, and also taking into account the question of locus standi and the applicability of Order XXII Rule 4 CPC, this Court is of the view that the trial Court ought to have examined the matter more carefully.

6. Accordingly, the order dated 28.08.2025 passed in I.A. No. 6 of 2025 in O.S. No. 1005 of 2014 on the file of the II Additional District Munsif Court, Tiruchirappalli, is set aside. The trial Court is directed to afford an opportunity to the respondents to file a fresh application and consider the same on merits, including the issue of locus standi, in accordance with law, particularly with reference to Order XXII Rule 4 CPC. The trial Court shall pass appropriate orders within a period of six months from the date of receipt of a copy of this order.

7. Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

19.02.2026

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Index : yes / no

Internet: yes/ no

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