

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.09.2015

CORAM

THE HONOURABLE MR.JUSTICE T.MATHIVANAN

C.R.P.(PD) No.3299 of 2011
and
M.P.No.1 of 2011

K.Madhiharan
Managing Director
M/s.K.K.R. Residency Creations Pvt. Ltd.,
12, K.K.R. Avenue,
Perambur, Chennai.

.... Petitioner

Versus

1.A.K.Moosa

2.K.K.R.Residency Creations Pvt. Ltd.,
Rep by its Managing Director
12, K.K.R. Avenue,
Perambur, Chennai.
(R2 given up)

.... Respondents

Prayer: Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure, praying to set aside and reverse the order of arrest passed against the petitioner in E.P.No.3653 of 2010 in O.S. No.5893/2004 on the file of the IX Assistant City Civil Court, Chennai.

For Petitioner : Mr.Ananda Gomathy Sivakumar
For Respondents : Mr.S.F.Mohamed Yousuf [R1]

ORDER

Today, when the matter is taken up for hearing, it is brought to the notice of this Court by Mr.S.F.Mohamed Yousuf, the learned counsel for the first respondent that, already this Revision Petition was heard by the then Hon'ble Chief Justice of this Court on 03.01.2012 and while disposing this matter, His Lordship has observed as under :

"5. In the facts and circumstances of the case, I do not find any justification to interfere with the order passed by the court below and the civil revision petition is liable to be dismissed.

6. However, after I dictated the order, a suggestion was put to the learned counsel petitioner to advise his client to settle the claim and pay the admitted dues to the petitioner/decreed holder. For that purpose, the learned counsel for the petitioner sought four weeks. Until such time, the order impugned in the revision shall be kept in abeyance."

2. After passing the order by the then Hon'ble Chief Justice of this Court, three years have gone, but no progress has been shown by the revision petitioner and therefore, this Court finds nothing survives in this petition, excepting to follow the order of the then Hon'ble Chief Justice. Hence, this Civil Revision Petition is dismissed.

Consequently, connected miscellaneous petition is also dismissed. No costs.

02.09.2015

ds

To:

The IX Assistant Judge,
City Civil Court,
Chennai.

T.MATHIVANAN,J.

ds

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