

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2015

CORAM:

THE HON'BLE **MS. JUSTICE R.MALA**

C.R.P.(PD).No.3998 of 2015

and

M.P.No.1 of 2015

K.C.Kulandaisamy
S/o.Chinnasamy Gounder

..Petitioner/Petitioner/Plaintiff

Vs.

1.Duraisamy
S/o.Palanisamy Gounder

2.Palanisamy
S/o.Chinnasamy Gounder

..Respondents/Respondents/
Defendants 1 & 2

Prayer:

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order dated 25.08.2015 made in I.A.No.780 of 2015 in O.S.No.172 of 2015 on the file of the District Munsif, Kangayam, Tiruppur District.

For Petitioner : Mr.C.Prakasam

ORDER

The revision petitioner has come forward with the present Civil Revision Petition challenging the impugned order passed under Order 39 Rule 1 and 2 CPC. However, against the said order only the Civil Miscellaneous Appeal is maintainable under Section 43 of CPC and revision is not maintainable.

2. Hence, at request of the learned counsel for the revision petitioner, entire papers along with the impugned order is ordered to be returned and the revision petitioner is permitted to represent the same before the competent Court within a period of 30 days from the date of receipt of a copy of this order.

3. The Civil Revision Petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed. No costs.

05.11.2015

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To

The learned District Munsif,
Kangayam, Tiruppur District.

R.MALA, J.

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