

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.4243 of 2015
and M.P.No.1 of 2015

X. Rosy

.... Petitioner

vs

1. Mrs.Stella Santhini
Xavier (Died)
2. X. Heraid
3. D. Regina
4. Harie Edward
5. Amalorpanthan
6. D. Sisilee
7.M. Gowri
8.A. Devaki
9. Litivina Rajamanickam

..... Respondents

Civil Revision Petition filed under Article 227 of the Civil Procedure Code against the Order passed in E.A.No.1 of 2012 in E.P.No.142 of 2011 in R.C.O.P.No.1594 of 1996 dated 11.2.2015 on the file of XVI Small Cause Court, Chennai.

For Petitioner : Mr.J. Abdul Hadi

ORDER

The petitioner has challenged the order passed in E.A.No.1 of 2012 in E.P.No.142 of 2011 in R.C.O.P.No.1594 of 1996 on the file of XVI Small Causes Court, Chennai, filed under Order XXI Rule 97 of Code of Civil Procedure Code.

2. It is settled position that as against the order passed in the application filed under Order XXI Rule 97 of Civil Procedure Code, only an appeal is maintainable and not a revision, filed under Article 227 of the Constitution of India. Therefore, the Civil Revision Petition is rejected.

3. It is open to the petitioner to challenge the order passed in E.A.No.1 of 2012 in E.P.No.142 of 2011 before the appropriate appellate forum. No costs. Consequently, connected MP is closed.

21-12-2015

sr
Index:no
website:yes

To

The XVI Small Cause Court, Chennai.

M. DURAISWAMY,J.,

sr

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