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REV.APLC(MD)No.3 of 2015
in S.A.No.272 of 2006

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2022

C O R A M

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

REV.APLC(MD)No.3 of 2015
in
S.A.No.272 of 2006

1.Chokkalingam

2.Natarajan

3.Paramasivam

4.Arumugam

... Review Petitioners/Appellants

Vs.

Raman

... Respondent/ Respondent

PRAYER: Review Application is filed under Order 47 Rules 1 and 2 r/w Section 114 of the Code of Civil Procedure, 1908, to review the order passed by this Court dated 17.10.2014 made in S.A(MD)No.272 of 2006 and allow the second appeal.

Prayer in SA(MD).No. 272/2006:

Second Appeal filed against the Judgment and decree of the District Judge, Sivagangai. In A.S.No. 100 of 2003 dated 29.08.2005, preferred against the judgment and decree of the District Munsif, Thirupathur, Sivagangai district in O.S.No. 117/2000 dated 31.01.2003

For Review Applicant : Mr.K.Vadivelu

for Mr.A.S.Mujibur Rahman

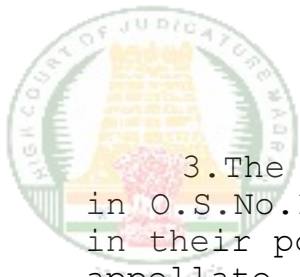
For Respondent

: Mr.G.Mohan Kumar

ORDER

This review application is filed that there is an error apparent in deciding the appeal, that without ascertaining under whose possession, the suit property lies with, the judgment has been passed.

2.Heard the learned Counsel on either side and perused the materials placed on record.



3.The case of the review applicants is that they filed a suit in O.S.No.117 of 2000 for permanent injunction that the property is in their possession. The suit was decreed. In the appeal, the first appellate Court held that the suit mentioned property was sold by the father of the plaintiffs in the year 1966 and several houses were established in that property and the plaintiffs by suppressing the existence of the buildings filed the suit that the suit property is in their possession and allowed the appeal. As against the same the second appeal filed by the review applicants were dismissed.

4.The second appeal was dismissed with holding that the case of the plaintiffs was demolished through Exs.B1 to B3.

5.The review applicants have not made out any ground to interfere with the judgment dated 17.10.2014 made in S.A(MD)No.272 of 2006 and therefore, the review application is liable to be dismissed.

6.In the result, the review application is dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dsk

To

1.The District Judge,
Sivagangai.

2. The District Munsif,
Thirupathur, sivagangai District.

Copy to

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

+1CC to Mr.A.S.Mujibur Rahman, Advocate SR.No. 13696

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KM(CO)

KB(07.04.2022) 2P 6C

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