

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.10.2016

CORAM

THE HON'BLE MR. JUSTICE T.MATHIVANAN

C.R.P (NPD) No.3529 of 2011

&

M.P.No.1 of 2011

Vanjiappan

... Petitioner

Vs.

1.A.Nizam Basha

2.H.Askari Begam

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Principal District Munsif at Coimbatore to receive the application in E.A.CFR.No.25487 of 2011 on file in E.A.No.169 of 2009 in E.P.No.43 of 2009 in O.S.No.2177 of 2005 on the file of the Principal District Munsif Court, at Coimbatore and dispose the same in accordance with law.

For Petitioners : Mr.s.Mukunth

For Respondents : Mr.N.A.Nissar Ahmed

ORDER

It is brought to the notice of this Court by the learned counsel for the

revision petitioner that during pendency of the execution petition, the revision petitioner has filed an application to set aside the ex parte decree in I.A.No.2451 of 2011 in O.S.No.2177 of 2005 and that application was allowed on 02.04.2012. In consequent thereof, the ex parte decree dated 23.02.2006 made in O.S.No.2177 of 2005 was set aside. Since the ex parte decree itself is set aside, nothing survives for adjudication in this revision petition and therefore, the revision petition has become infructuous.

2. Accordingly, the revision petition is dismissed as infructuous. No costs. Consequently, the connected miscellaneous petition is closed.

17.10.2016

Index: Yes/No
Internet: Yes
gpa

To

The Principal District Munsif Court
Coimbatore

T.MATHIVANAN.J.,

gpa

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