

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2016

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.1633 of 2016

1.S.P.Kandasamy Thevar
2.S.P.K.Amirtham
3.K.Thavamurugan
4.K.Thanigaivel
5.K.Manikandan

... Petitioners

v.

1.P.V.Karuppasamy Thevar
2.K.Raja Mahendran
3.R.Prakash

... Respondents

Civil Revision Petition filed under section 115 of the Code of Civil Procedure, against the fair and decreetal order dated 06.11.2014 made in C.M.P.No.72 of 2012 in A.S.No.91 of 2011 on the file of VI Additional City Civil Court, Chennai.

For Petitioner : K.M.Subramaniam

O R D E R

Challenging the fair and final order passed in C.M.P.No.72 of 2012 in A.S.No.91 of 2011, filed under Order 41 Rule 27 of CPC, on the file of VI Additional Judge, City Civil Court, Chennai, the appellants have filed the above Civil Revision Petition.

2. When the matter is taken for hearing, the learned counsel appearing for the petitioners submitted that the Lower Appellate Court had already dismissed the appeal in A.S.No.91 of 2011 and as against the judgment and decree of the Lower Appellate Court, the appellants have filed a Second Appeal in S.A.No.520 of 2016 before this court.

3. Since the first appeal is not pending, I do not find any reason to entertain the present Civil Revision Petition for the reason that C.M.P.No.72 of 2012 has been filed as against the order passed by the Lower Appellate Court, in the application filed under Order 41 Rule 27 of CPC for producing additional documents.

4. In these circumstances, the Civil Revision petition is devoid of merits and is liable to be dismissed. Accordingly, the Civil Revision Petition is dismissed. No costs.

13.06.2016

Index : Yes/No

Rj

To

The VI Additional Judge,
City Civil Court,
Chennai,

M. DURAISWAMY,J.,

Rj

C.R.P.(NPD)No.1633 of 2016

13.06.2016