

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 24.11.2016

CORAM

THE HONOURABLE MR. JUSTICE T. MATHIVANAN

C.R.P.NO.761/2013

1. Ranjani,
W/o. Late Nandhana Krishnama Cheety
Alias Gajendra Cheety.
- 2 Pappi,
D/o Late Nandhana Krishnama Cheety,
Alias Gajendra Cheety.
Both are residents at
Mittapettai Village and Post,
Arakkonam Taluk,
Vellore District.
3. Thara,
D/o Late Nandhana Krishnama Cheety,
Alias Gajendra Cheety,
No.14, A.S.R.P. Colony,
Periyar Nagar,
Chennai. ... Petitioners /
Defendants

Versus

Kamala Devi,
W/o Veerasami,
Old No.1/80, New No.174,
Cheekku Mettu Street,
Perumalrajpet Village,
Mittapettai post,
Arakkonam Taluk,
Vellore District. ... Respondent /
Plaintiff

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to strike off the plaint in O.S.No.143 of 2012 pending on the file of the District Munsif, Sholinghur.

For Petitioners: Mr. A. Gowthaman

For Respondent: Mr. S. Sarath Chandran
for M/s. K.M. Vijayan Associates.

ORDER

Invoking the provisions of the Article 227 Of The Constitution of India, the petitioners have filed this petition to strike off the Plaint in the Suit in O.S. No.123/2012 pending on the File of the District Munisiff, Sholinghur.

2. The Petitioners 1 to 3 herein are the Defendants in the Suits whereas the Respondent is the Plaintiff. It is manifested from the records that the Respondent seems to have filed the Suit in O.S. No.143/2012 on the file of the District Munisiff at Sholinghur as against the Petitioners herein and thereby sought the relief of permanent injunction and for cost.

3. Heard, Mr. A. Gowthaman, Learned Counsel appeared for the Petitioners and Mr. Sarath Chandran, Learned Counsel representing M/s. K.M. Vijayan Associates.

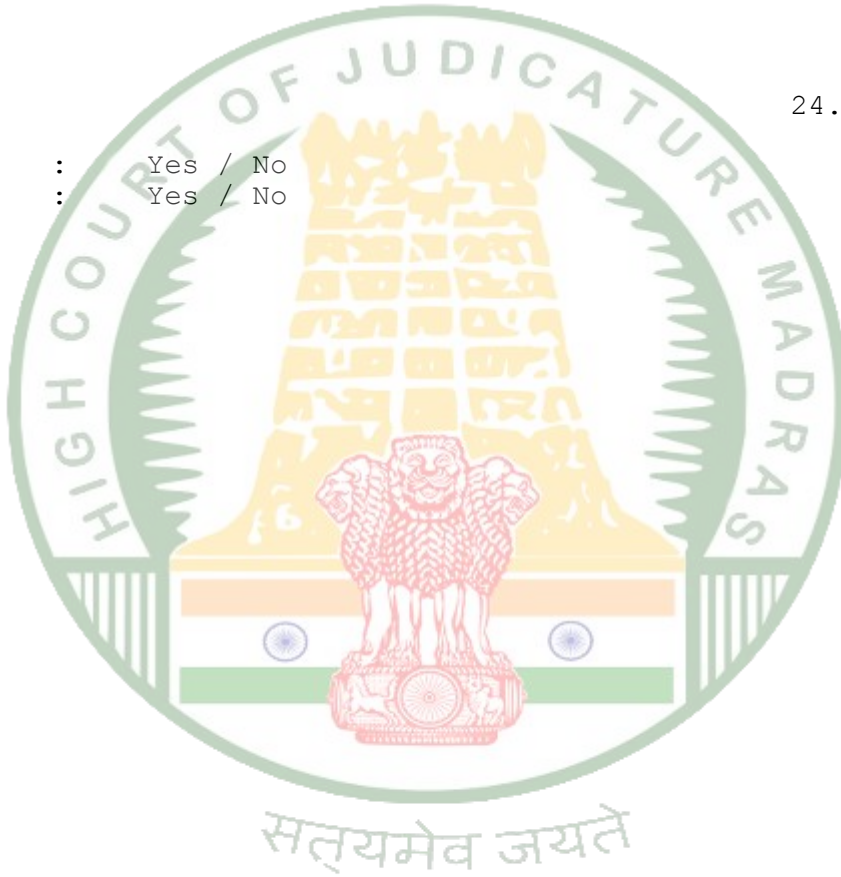
4. When the Petition came up for Hearing, it was brought to the notice of this Court that the Revision Petitioners had taken possession of the suit property in pursuance to the Order dated 18.1.2013 and made in E.A. No.9/2013 in E.P.No. 16 of 2011 in O.S. No.120/2012. It was also represented that the possession of the property was also delivered to the Revision Petitioners. In this connection, the Learned Counsel for the Respondent has submitted that since the possession had been handed over, the Suit in O.S. No.143/2012 might be ordered to

be dismissed as infructuous. Recording the submission made by the Learned Counsel for the Petitioners as well as for the Respondent, this Civil Revision Petition is dismissed as infructuous.

No cost.

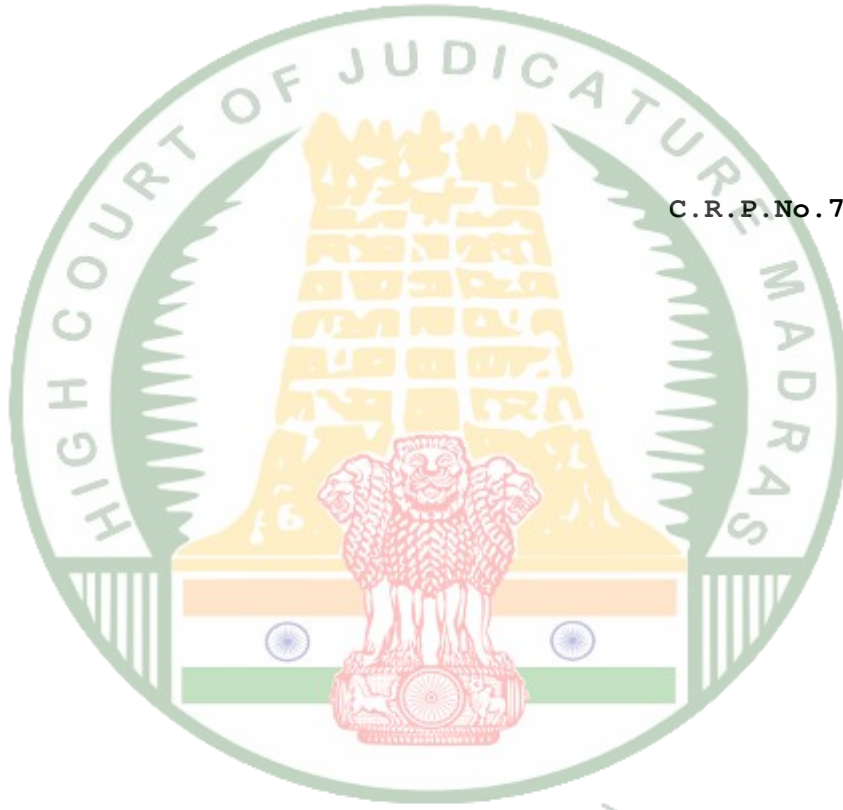
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T.MATHIVANAN.J.,



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