

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2017

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

Civil Revision Petition (NPD) No.1436 of 2017

1. V.S.Veerasamy
2. V.P.Maragathamani

...Petitioners

..Vs..

K.Subramaniam
(Died on 12.10.2013 by L.Rs. 1 to 3 hereunder)

1. Mani
2. Shanmugavel
3. Thiyagesh

...Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, against non-numbering of R.P.CFR. No.25264 of 2016 in O.S.No.1023 of 1994 on the file of the Learned Principal Subordinate Judge, Coimbatore.

For Petitioners : Mr.Mukund
for MR.V.Sivakumar

ORDER

The learned counsel for the petitioners would submit that even though this Court does not find prima facie case, to entertain the present Civil Revision Petition filed by the petitioner, however, the learned counsel for the petitioner urged that the matter has been settled among the parties and compromise memo is entered into between the parties.

2. Therefore, in the interest of both the parties, the application filed by the respondent, has not been numbered by the Principal Subordinate Judge, Coimbatore and the petitioner prayed this Court, it is suffice, if this Court issues necessary direction to the Court below to number the said application and pass orders on merits.

3. In view of the submission made by the petitioner, even though this Court is not inclined to entertain the Civil Revision Petition, by considering the facts and in the interest of justice, it is open to Court below to number the said application filed by the respondent in R.P.CFR. No.25264 of 2016 in O.S.No.1023 of 1994 on 30.09.2016 if it is in order and pass appropriate orders, after providing an opportunity to the parties concerned.

4. With the above directions the Civil Revision Petition is dismissed. No costs.

13.04.2017

Index:Yes/No
Internet: Yes
jv

Note: Issue Order Copy on 17.04.2017

To

The Principal Subordinate Judge,
Coimbatore.

D.KRISHNAKUMAR, J.,

jv

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