

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2017

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

**C.R.P.(PD)No.995 of 2017
and C.M.P.No.4882 of 2017**

Rajammal (died)

1. Selvam

2. Mani

3. Maruthai

... Petitioners

v.

1.G.Raja @ Sengottuvel

2. Sundaram @ Sundarammal

3. Lakshmi

4. T.M.Raman

5. Rani

6. Srinivasan

7. Sellakumar

8. K.Sundaram

9. S.Palanivel

... Respondents

Civil Revision Petition filed under section 227 of C.P.C., against the order dated 01.06.2016 made in I.A.No.318 of 2013 in O.S.No.25 of 2013 on the file of the Learned Sub Judge, Attur, Salem District.

For Petitioners : Mr.M.R.Jothimanian

ORDER

Challenging the order dated 01.06.2016 passed in I.A.No.318 of

2013 filed under Order VII Rule 11 of Code of Civil Procedure in O.S.No.25 of 2013 on the file of the Subordinate Court, Attur, Salem District, the legal representatives of the plaintiff have filed the above Civil Revision Petition.

2. Since the trial Court had allowed the application filed under Order VII Rule 11 of Code of Civil Procedure, in view of the order passed by the Division Bench of this court dated 28.08.2014 made in CRP (PD) No.1211 of 2013, only a regular appeal is maintainable as against the impugned order and the revision is not maintainable.

3. In view of the order of the Division Bench of this Court, the Civil Revision Petition is not maintainable and the same is rejected. Liberty is given to the petitioners to challenge the order passed in I.A.No.318 of 2013 by way of a regular appeal. No costs. Connected miscellaneous petition is also dismissed.

17.03.2017

Note: (1) Issue on 20.03.2017

(2) Registry is directed to return the certified copies of the fair and decreetal order passed in I.A.No.318 of 2013 to the learned counsel for the petitioners

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To
The Subordinate Judge, Attur

M. DURAISWAMY,J.,

rg

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