

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2017

CORAM

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Review Application No.133 of 2017

in C.R.P.(NPD) No.259 of 2009

& C.M.P.no.15174 of 2017 in Review Application No.133 of 2017

S.Kupusamy (Deceased)

- 1.Gandhimathi
- 2.Balasubramaniam
- 3.Kanchana & Baby

..Petitioners

Vs.

- 1.Ramadoss
- 2.Bagyalakshmi

..Respondents

PRAYER: Review Application filed under Order 47 Rule 1 read with Section 114 of C.P.C, to review the order dated 12.07.2011, made in C.R.P(NPD).No.259 of 2009 passed by his Lordship Hon'ble Justice V.Ramasubramanian on the file of this Hon'ble Court.

For Petitioners : M/s.R.Vijaya Sudha

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ORDER

The present review application is filed to review the order dated 12.07.2011, made in C.R.P.(NPD).No.259 of 2009 on the file of this

Court.

2. The review applicants are the petitioners in C.R.P.(NPD).No.259 of 2009. The said civil revision petition was filed against the orders of learned Rent Controller and judgment of Appellate Authority, ordering eviction against the petitioners. This Court, by the order dated 12.07.2011, dismissed the civil revision petition, confirming the order of learned Rent Controller as well as judgment of the Appellate Authority. The present review is filed on the ground that the petitioners have complied with conditional order by depositing a sum of Rs.3,050/-, being the arrears of rent on 04.03.2011 in the State Bank of India under Lodgement Order Form No.43/2011, as directed by this Court.

3. According to the petitioners, this fact was not brought to the notice of the Court, when the civil revision petition was taken up for hearing and learned counsel for petitioners was held up in other Court and after pass over at 2.15, before he could appear and argue the matter, the civil revision petition was dismissed. The review application is filed to give an opportunity to the petitioner to put forth their case on merits. From the order dated 12.07.2011, which sought to be reconsidered, it is seen that the counsel for petitioner was present in the Court and this Court considered the materials on record and passed orders on merits. This Court has not dismissed the civil revision petition

for not complying the conditional order.

4. In view of the above facts, I find there is no error apparent on the face of the record in the order passed by this Court which is sought to be reviewed. In the result, this review application is dismissed. No costs. Consequently, connected civil miscellaneous petition is closed.

Index : Yes/No
gsa

01.09.2017



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V.M.VELUMANI,J.

gsa



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