



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

REV.APLC.(MD) Nos.164 to 166 of 2017 in
C.R.P.(MD) Nos.1054, 1055 of 2002 & 1583 of 2003
and C.M.P.(MD) No.7326 of 2017

REV. APLC. (MD) Nos.164 of 2017:

1. K.R.Balaji
2. K.R.Ramji
3. K.R.Premji

... Petitioners/Petitioners

-vs-

- 1.Rabindranath (Died)
2. K.R. Thangamani
3. K.R. Samyuktha
4. K.B.R. Anopchand
- 5.Sarayu Basanth

... Respondents/Respondents
6.**REV. APLC. (MD) Nos.165 of 2017:**

K.R. Balaji

... Petitioner/Petitioner

-vs-

1. Rabindranath (Died)
2. K.R.Thangamani
3. K.R.Ramji
4. K.R.Premji
5. K.V.Kalavathi
6. T.S.Indumathi
7. Renuka Devi
8. K.R.Usharani
9. K.R.Samyuktha
- 10.K.B.R.Anopchand
- 11.Sarayu Basanth

... Respondents/Respondents

REV. APLC. (MD) Nos.166 of 2017:

1. K.R.Balaji
2. K.R.Ramji
3. K.R.Premji

... Petitioners/Respondents-2 to 4



-vs-

1. Rabindranath (Died)
2. K.R.Samyuktha
3. K.B.R.Anopchand
4. Sarayu Basanth

... Respondents-1 to 4/Petitioners-
1 to 4

5. K.R.Thangamani
6. T.S.Indumathi
7. Renuka Devi
8.E.R.Usharani

... Respondents-5 to
8/Respondents-1,5, 6 & 7
9.

PRAYER in REV. APLC. (MD) No.164 of 2017 : Review Application filed under Order 47 Rules 1 and 2 r/w. Section 114 of the Civil Procedure Code, against the common order dated 11.05.2016 passed in Civil Revision Petition in CRP (NPD) (MD) No.1054 of 2002 on the file of this Court.

For Petitioners	:	Mr.M.P. Senthil
For Respondents-3 to 5	:	Mr.V.R.Shanmuganathan
For Respondents-1 & 2	:	No appearance

PRAYER in REV. APLC. (MD) No.165 of 2017 : Review Application filed under Order 47 Rules 1 and 2 r/w. Section 114 of the Civil Procedure Code, against the common order dated 11.05.2016 passed in Civil Revision Petition in CRP (NPD) (MD) No.1055 of 2002 on the file of this Court.

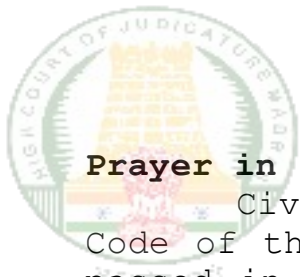
For Petitioners	:	Mr.M.P. Senthil
For Respondents-9 to 11	:	Mr.V.R.Shanmuganathan
For Respondents-1 to 8	:	No appearance

PRAYER in REV. APLC. (MD) No.166 of 2017 : Review Application filed under Order 47 Rules 1 and 2 r/w. Section 114 of the Civil Procedure Code, against the common order dated 11.05.2016 passed in Civil Revision Petition in CRP (NPD) (MD) No.1583 of 2003 on the file of this Court.

For Petitioners	:	Mr.M.P. Senthil
For Respondents-2 to 4	:	Mr.V.R.Shanmuganathan
For Respondent-1	:	No appearance

Prayer in CRP No.1054 of 2002:

Civil Revision Petition is filed under Section 115 of the Code of the Civil Procedure, against the fair and decreetal order passed in E.A.No.782 of 1996 in E.P.No.224 of 1970 in O.S.No.61 of 1965, dated 03.03.2002, on the file of the Additional District Munsif, Madurai.

**Prayer in CRP No.1055 of 2002:**

Civil Revision Petition is filed under Section 115 of the Code of the Civil Procedure, against the fair and decreetal order passed in E.A.No.436 of 2001 in E.A.No.782 of 1996 in E.P.No.224 of 1970 in O.S.No.61 of 1965, dated 06.03.2002, on the file of the Additional District Munsif, Madurai.

Prayer in CRP No.1583 of 2003:

Civil Revision Petition is filed under Section 115 of the Code of the Civil Procedure, against the order and decreetal order, dated 13.08.2003 in CMA No.25 of 2002 on the file of the learned II Additional Subordinate Judge, Madurai, reversing the order and decreetal order, dated 06.03.2002 in E.A.No.784 of 1996 in E.P.No.224 of 1970 in O.S.No.61 of 1965, on the file of the Additional District Munsif, Madurai.

COMMON ORDER

These review applications have been filed by the petitioners against the common order dated 11.05.2016 passed in C.R.P.(NPD)(MD) Nos. 1054, 1055 of 2002 and 1583 of 2003.

2. It is seen that the main plea urged by the petitioners in these petitions to the effect that without exhausting the appeal remedy, revision petitions came to be filed and therefore, revision petitions itself are not maintainable, were considered by the learned Judge and subsequently, such plea was also negated.

3. The learned counsel appearing for the respondents has informed this Court that, as per order of the Executing Court, the property was duly settled to the petitioners and when an Obstructor had filed a petition in C.R.P.(MD) No.773 of 2018 against the respondents in Rev.Aplc.(MD) No.166 of 2017 aggrieved by the return of petition in E.A.No. of 2018 in E.A.No.7892 of 1996 in E.P.No.224 of 1970 in O.S.No.61 of 1965, pursuant to the decline made by this Court, he sought two months' time for vacating the premises and accordingly, this Court also granted time from 10.04.2018 till 10.06.2018 with direction to the said person to vacate the premises on or before 11.06.2018.

4. Considering the overall circumstances, prevailing in these petitions, this Court is of the view that nothing survives for further adjudication in these Review Applications.



5. Hence, all these Review Applications are dismissed. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The II Additional Subordinate Judge, Madurai.
2. The Additional District Munsif, Madurai.

+ 1 CC TO Mr.V.R.SHANMUGANATHAN, ADVOCATE IN SR No. 68179

KSA

TE/SV/SAR-4 : 10/10/2018 : 3P/4C

REV.APLC.(MD) Nos.164 to 166 of 2017 in
C.R.P.(MD) Nos.1054, 1055 of 2002 & 1583 of 2003
12.06.2018