

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2018

C O R A M

THE HONOURABLE Ms.JUSTICE P.T.ASHA

Civil Revision Petition (NPD).Nos.1926 & 1927 of 2009
& CMP.Nos.230 & 231 of 2016

R.Ramanathan
S/o.Rajamanickam

... Petitioner
in both the cases

Vs.

1. R.Gunasekaran (died)

2. R.Natarajan

3. G.Mohana

4. G.Balaji

5. G.Narayanan

6. G.Mariyammal

7. Minor G.Dhanalakshmi

D/o.R.Gunasekaran

Rep. by its mother and
next friend G.Mohana

... Respondents
in both the cases

Prayer in C.R.P.(NPD).No.1926 of 2009: Civil Revision Petition is filed under Section 115 of Civil Procedure Code, against the order and decree dated 11.02.2009 made in I.A.No.529 of 2008 in I.A.No.298 of 2007 in O.S.No.657 of 2007 on the file of the Court of

the Principal Subordinate Judge, Salem.

Prayer in C.R.P.(NPD).No.1927 of 2009: Civil Revision Petition is filed under Section 115 of Civil Procedure Code, against the order and decree dated 11.02.2009 made in I.A.No.39 of 2009 in I.A.No.298 of 2007 in O.S.No.657 of 2007 on the file of the Court of the Principal Subordinate Judge, Salem.

C.R.P.(NPD).Nos.1926 & 1927 of 2009

For Petitioner : Mr.T.Dhanasekaran
 in both the cases for Mr.R.Agilesh
 For R2 : Mr.D.Shivakumaran
 For R1 : Died
 For R3 to R6 : Not ready in notice
 For R7 : Minor rep. by R3

COMMON ORDER

The learned counsel for the respondents would submit that the appeal filed against the final decree proceedings in A.S.No.25 of 2010 has been dismissed on 12.09.2018. The revision is against the Interlocutory Application that has been filed in the final decree proceedings.

2. Considering the fact circumstances of the case, that the final decree proceedings has culminated in the dismissal of the appeal nothing survives for consideration in the present Civil Revision Petition.

3. Accordingly, the **Civil Revision Petition is dismissed as infructuous** and the petitioner is given a liberty to revive this revision in the event of the first appeal being restored. No costs. Consequently, connected Miscellaneous Petitions are also closed.

26.10.2018

Index :Yes/No
Speaking order /non-speaking order

bsm

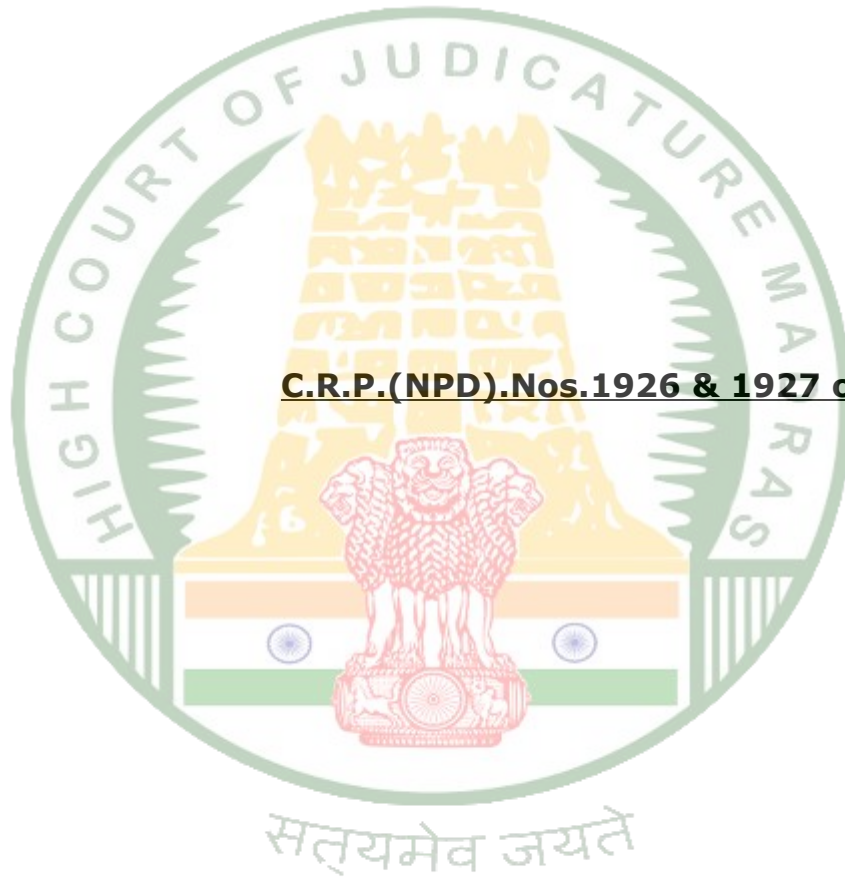
To

The learned Principal Subordinate Judge, Salem.

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P.T.Asha. J.,

bsm



C.R.P.(NPD).Nos.1926 & 1927 of 2009

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26.10.2018