IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2018

CORAM :

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

C.R.P. (PD)No.3926 of 2015 &
M.P.No.1 of 2015

Mr.S.M.Ramanujam .. Petitioner

Vs.

Mrs.N.Gowri .. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 11.08.2015 made in I.A.No.1070 of 2015 in O.S.No.1448 of 2013 on the file of the II Additional District Judge, Erode.

For Petitioner : Mr.C.Vediappan

For Respondent : Mr.L.Mouli

O R D E R

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This revision has been filed to set aside the order dated order dated 11.08.2015 made in I.A.No.1070 of 2015 in O.S.No.1448 of 2013 on the file of the Principal Sub Judge, Coimbatore.

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2. This revision has been filed challenging the Order of dismissal of the application filed to set aside the exparte Order passed in O.S.No.1448 of 2013 by the trial Court.

3. It is submitted by both sides that the revision petitioner is none other than the subsequent purchaser. It is to be noted that if the share is allotted to the vendor, his rights will be protected. It is also submitted by the learned counsel for the revision petitioner that the revision petitioner died on 15.07.2017. However, no steps have been taken so far to implead the legal heirs of the revision petitioner. Hence, nothing survives in the present revision.

4. Accordingly, this Civil Revision Petition is dismissed as abated with liberty to the legal heirs of the revision petitioner to work out their remedy during final hearing proceedings in the manner known to law. Consequently, the connected miscellaneous petition is closed. No cost.

02.11.2018

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N.SATHISH KUMAR, J.

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