

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.07.2018

CORAM :
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P. (NPD). No.1502 of 2013

and

M.P. No.1 of 2013

1.The Chairman

Tamil Nadu Housing Board,
Anna Salai, Chennai 600 035.

2.The Executive Engineer &

Administrative Officer,
Tamil Nadu Housing Board,
Anna Nagar Division,
Chennai 600 101.

... Petitioners

Vs

K.Gopal

... Respondent

PRAYER : Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, pleaded to set aside the fair and decretal order dated 26.02.2013 made in E.A. No.1889 of 2012 in E.P. No.2139 of 2011 in O.S. No.431 of 2010, on the file of the IX Assistant City Civil Court at Chennai.

For Petitioners : Mr.R.Jayaseelan

For Respondent : Mr.S.Sureshkumar

ORDER

The present Civil Revision Petition has been preferred by the petitioner against the order in E.A. No.1889 of 2012 in E.P. No.2139 of 2011

in O.S. No.431 of 2010, on the file of the IX Assistant City Civil Court at Chennai, dated 26.02.2013.

2. Heard Mr.R.Jayaseelan, learned counsel for the petitioners and Mr.S.Sureshkumar, the learned counsel for the respondent.

3.Learned counsel for the petitioners submitted that the petitioners filed an application to restore the suit in O.S. No.431 of 2010 before the trial Court and the same allowed, subsequently it was restored. Now, the suit is at the trial stage.

4. The learned counsel for the respondent also pointing out the counter affidavit filed by the respondent particularly in Para No.4, E.P.No.2139 of 2011 itself was not pressed and dismissed on 24.02.2014. Hence nothing survives for further adjudication in this matter.

5.In the above circumstances, this Civil Revision Petition is dismissed as infructuous. Consequently, connected miscellaneous petition is also closed. However, the trial Court viz., The III Assistant City Civil Court

at Chennai is directed to dispose of the suit in O.S.No.431 of 2010, as

expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order. No costs.

03.07.2018

Index: Yes/No
Internet: Yes/No
Speaking Order/Non Speaking Order
To

1. The IX Assistant City Civil Judge,
Chennai.
2. The III Assistant City Civil Judge,
Chennai.



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KRISHNAN RAMASAMY, J

rkp



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