

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.08.2018

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P (NPD).Nos.2190 & 2191 of 2009
and M.P.No.1 of 2009
and M.P.Nos.1 & 2 of 2010 in
C.R.P(NPD) No.2190 of 2009

A.Ramalingam Petitioner in both C.R.Ps

-vs-

1.Mrs.Gnanaselvam,
2.Stalin Sampath Raja Gunalan
3.Gnanadayalan
4.Jeyanandha Devakumar
5.Mrs.Mepil Prasanna Kumari ... Respondents in both C.R.Ps

Prayer in CRP.No.2190 of 2009: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Order dated 26.06.2009 made in E.A.No.27 of 2007 in E.P.No.10 of 2003 (in Vellore Sub Court O.S.No.34 of 1984) on the file of the District Munsif Court, Ranipet.

Prayer in CRP.No.2191 of 2009: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Order dated 26.06.2009 made in E.A.No.28 of 2007 in E.P.No.10 of 2003 (in Vellore Sub Court O.S.No.34 of 1984) on the file of the District Munsif Court, Ranipet.

For Petitioner in both C.R.Ps : Mr.R.Thiagarajan

For Respondents in both C.R.Ps : Mr.G.Justin

COMMON ORDER

Though the matter was argued at length, ultimately, since the suit in O.S.No.186 of 2009 is pending on the file of the Sub Court, Ranipet with reference to the property scheduled in the plaint, the learned counsel for the petitioner seeks permission of this Court to withdraw the present revision petition with liberty to agitate all his rights with reference to the aforesaid property in the suit in O.S.No.186 of 2009.

2. The learned counsel for the respondents has no objection to the revision petitioner withdrawing the present revision petition with liberty as stated supra. Hence, the Civil Revision Petition is dismissed as withdrawn with liberty to the petitioner to agitate all issues in the suit in

O.S.No.186 of 2009, on the file of the Subordinate Court, Ranipet. The learned counsel for the respondents would further submit that by the reason of the stay order given by this Court in the above Civil Revision Petition they are unable to execute the decree with reference to the suit property excluding the portion purchased by the petitioner. Since, the Revision Petition is being dismissed as withdrawn with liberty, the respondents are at liberty to proceed with the execution petition with reference to the other portions of the property excluding the portion purchased by the revision petitioner.

3.With the above observation, the Civil Revision Petition is dismissed as withdrawn with liberty.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

jrs/lpp
To

1.The Subordinate Judge, Vellore
2.The District Munsif, Ranipet

+2cc to Mr.G.Justin, Advocate SR.NO.54774, 54775

sm:31.8.2018

C.R.P (NPD) .Nos.2190 & 2191 of 2009
and M.P.No.1 of 2009
and M.P.Nos.1 & 2 of 2010 in
C.R.P(NPD) No.2190 of 2009

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