



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2018

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.545 of 2018

and

C.M.P. (MD) No.2368 of 2018

Ganthi

... Petitioner

vs.

1.Pulikutti Thevar  
2.Kannusamy Thevar  
3.Gurusamy  
4.Vellaichamy  
5.Kasi  
6.Samyayya

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 28.04.2017 made in I.A.No.82 of 2017 in O.S.No.127 of 2009 on the file of the learned District Munsif cum Judicial Magistrate, Thiruvadanai.

For Petitioner : Mr.J.Anandkumar

### ORDER

Assailing over the order passed by the learned District Munsif cum Judicial Magistrate, Thiruvadanai in I.A.No.82 of 2017 in O.S.No.127 of 2009 dated 28.04.2017, the present Civil Revision Petition has been filed.

2. It is seen from the records that the order impugned in this petition is nothing but a consequential order, i.e., on 12.04.2017, a conditional order was passed directing the respondents/defendants to pay a sum of Rs.250/- to Legal Aid Office, Thiruvadanai and as the respondents/defendants have complied with the same, the impugned order dated 28.04.2017 in I.A.No.82 of 2017 in O.S.No.127 of 2009 came to be passed, thereby, the application to set aside the ex-parte was allowed.

3. When this Court posed a question to the learned Counsel for the petitioner as to whether the earlier order dated 12.04.2017 was challenged before any forum, the answer is unaffirmative.



4. Unless or until the earlier order dated 12.04.2017 is questioned, there is no infirmity or illegality in the present impugned order dated 28.04.2017 and therefore, in my considered opinion, the same does not need any interference.

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5. In such a view of the matter, this Civil Revision Petition is liable to be dismissed and accordingly, the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T & P)

/True Copy/

Sub Assistant Registrar

To

The District Munsif cum  
Judicial Magistrate,  
Thiruvadanai.

+1. C.C. to M/S.J.Anandkumar, Advocate, SR.No.55779.

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gk

SDS/MM:PN/SAR.1/28.03.2018/2P/3C