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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2018

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

C.R.P. (MD) No. 1844 of 2015
and
M.P. (MD) No. 1 of 2015

Samseer Rani

.. Petitioner/Plaintiff

Vs.

1.A.Mumtaz Begum

2.J.Babitha Begum

3.Jeharan Beevi

4.Tajnishtha

5.M.Tahira Banu

6.Thameemum Ansari

7.A.Rajkapur

8.A.Sheik Mohammed Rafeek

9.R.Waheed Banu

10.Mariappan

11.The Indian Bank

rep. by its Branch Manager,
New Road, Sivakasi Town,
Virudhunagar District.

12.The District Collector

Master Plan Complex,
Virudhunagar, Virudhunagar District.

13.The Superintendent of Police

Master Plan Complex, Virudhunagar,
Virudhunagar District.

14.The Deputy Superintendent of Police,

having office at Satchiapuram,
Sivakasi West, Virudhunagar District.



15.The Revenue Divisional Officer
having office at Satchiapuram,
Sivakasi West
Virudhunagar District.

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16.The Tahsildar
Sivakasi Taluk,
Taluk Office,
having office at satchiapuram
Sivakasi West,
Virudhunagar District.

.. Respondents/Defendants

Prayer : This revision petition is filed under Section 227 of the Constitution of India, to set aside the reject the plaint order dated 13.01.2015 made in plaint Registration No.4023/2014 on the file of the Sub Judge, Sivakasi and allow the Civil Revision Petition.

For Petitioner	: No appearance
For R1 to R6	: Mr.D.Sakkaravarthi
For R-10	: Mr.E.Marees Kumar for Ajmal Associates
For R-11	: Mr.R.Pandivel
For R12 to R16	: Mr.M.Karuppasamy Govt. Advocate
R7 to R9	: Dismissed vide order dated 15.12.2017

O R D E R

This Civil Revision Petition has been filed to set aside the reject the plaint order, dated 13.01.2015 made in plaint Registration No.4023 of 2014 on the file of the Sub Judge, Sivakasi and allow the Civil Revision Petition.

2.Heard the learned counsels appearing for the Respondent Nos. 1 to 6, R10, R11 and R12 to R16.

3.There is no representation on the side of the petitioner, already sufficient time has given to the petitioner.

4.On the side of the respondent No.10, it is stated that the respondent purchased the property through E-Auction and possession was also handed over to the respondent and the matter become infructuous.

5. Records perused.



6.As there is a bar under the SARFAESI Act, the Lower Court has rejected the plaint, the Indian Bank has E-Auctioned the property and the tenth respondent has purchased the same.

7.In view of the above facts, this Civil Revision Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

- 1.The Branch Manager,
Indian Bank, New Road, Sivakasi Town,
Virudhunagar District.
- 2.The District Collector
Master Plan Complex,
Virudhunagar, Virudhunagar District.
- 3.The Superintendent of Police
Master Plan Complex, Virudhunagar,
Virudhunagar District.
- 4.The Deputy Superintendent of Police,
Satchiapuram, Sivakasi West,
Virudhunagar District.
- 5.The Revenue Divisional Officer
Satchiapuram, Sivakasi West
Virudhunagar District.
- 6.The Tahsildar
Sivakasi Taluk, Taluk Office,
Satchiapuram, Sivakasi West,
Virudhunagar District

+1 CC To MR.D.SAKKARAVARTHI, Advocate SR. NO.88313
+1 CC To MR.R.PANDIVEL, Advocate SR. NO. 87815
+1 CC To MR.AJMAL ASSO, Advocate SR. NO. 88558
+1 CC TO The Special Government Pleader SR.NO. 88211

C.R.P. (MD) No.1844 of 2015