



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRP (MD) No.1655 of 2016 (NPD)

Rajagopal

... Petitioner

Vs.

1.Duraiyan @ Krishnan

2.Ramesh

Manickam (died)

3.Lakshmanasamy

4.The District Collector,
Office of the District Collector,
Dindigul.

5.The Tahsildar,
Office of the Tahsildar,
Palani.

... Respondents

Prayer : Civil Revision Petition is filed under Section 115 of Code of Civil Procedure to set aside the order dated 09.12.2015 passed in E.P No.37 of 2013 in O.S No.50 of 2006 on the file of the District Munsif of Palani.

For Petitioner : Mrs.Jessi Jeevapriya
for Mr.G.Aravindhana

For Respondents : Mr.D.Venkatesh for R3
Mr.M.Karuppasamy,
Government Advocate for R4 & R5
No appearance for R1 & R2

ORDER

The plaintiff in O.S No.50 of 2006 on the file of the District Munsif Court, Palani is the revision petitioner herein. The revision petitioner herein filed the said suit for declaration and



permanent injunction. The same was partly decreed. For executing the same, E.P No.37 of 2013 was filed. The said E.P was dismissed. Challenging the same, this civil revision petition has been filed.

2.This Court went through the materials on record. It is seen that the fourth defendant in his counter filed before the executing court has clearly stated that he has not obstructed the drawal of water from the well that is in Schedule No.5. This averment made by the fourth defendant in the counter affidavit in E.P No.37 of 2013 placed on record.

3.Recording the same, this civil revision petition is disposed of. No costs.

Sd/
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The District Munsif,
Palani.
- 2.The District Collector,
Office of the District Collector,
Dindigul.
- 3.The Tahsildar,
Office of the Tahsildar,
Palani.
- 4.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1cc to M/S.P.JESSI JEEVA PRIYA, Advocate, SR.No.84202.
+1cc to Mr.D.VENKATESH, Advocate, SR.No.84135.

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12.09.2018

KK/SKN/SAR 4/31.10.2018/2P/8C