



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN
C.R.P. (MD) No. 2285 of 2016

1. Nallusamy
2. Suresh
3. Ramesh

.. Petitioners/Petitioners/Plaintiffs
vs.

Ramasamy (died)
1. Selvaraj
2. Thayammal
3. Anjalai

.. Respondents/Respondents/
Defendants

PRAYER: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure Code, against the fair and decreetal order dated 07.09.2015 in E.P.No.16 of 2010 in O.S.No.311 of 2005 on the file of the District Munsif Court, Kulithalai.

For Petitioners : Mr.K.Govindarajan
For Respondents : Mr.R.M.Sivakumar

ORDER

The plaintiffs in O.S.No.311 of 2005 on the file of the District Munsif, Kulithalai are the revision petitioners herein. The suit is for declaration and mandatory injunction in respect of items 3 and 4 of the decree. To execute the same E.P.No.16 of 2010 was filed. The Court below by the impugned order dated 07.09.2015, called upon the plaintiffs to do the job on their own and recover the cost thereafter. This Court is unable to understand what the Court below meant. The order passed by the Court below makes no sense. Hence, it is set aside and the matter is remitted back to the file of the executing Court to proceed afresh and in accordance with law.

2. The Civil Revision Petition is allowed accordingly. No Costs.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //



To

1. The District Munsif, Kulithalai.

2. The Section Officer,

V.R. Section,

Madurai Bench of Madras High Court,

Madurai. (2 copies)

+1 CC To MR.K.GOVINDARAJAN, Advocate SR. NO. 86265

C.R.P. (MD) No. 2285 of 2016

PJL

TR/RP/SAR-IV(22.10.2018) 2P 5C