

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2019

CORAM :

THE HON'BLE MR. JUSTICE N. SATHISH KUMAR

C.R.P. (NPD) No.38 of 2011

and

M.P. Nos.1 & 2 of 2011

- 1.KasiNaicker
- 2.Sarasu
- 3.Minor Sridhar
- 4.Minor Meenakshi

... Revision Petitioners

[Minor petitioners are represented by
their mother and natural guardian,
the 2nd petitioner]

Vs.

- 1.Govindammal (Died)
- 2.Roopavathi
- 3.Shankar
- 4.Poonagvanam
- 5.Neelavathi

... Respondents

[R2 to R5 – LR's of the deceased R1, viz.,
Govindammal, vide Court order dated
13.07.2018 made in C.M.P. No.11694 of 2018
in C.R.P. No.38 of 2011]

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 24.08.2010 made in E.P.No.1580 of 2010 in O.S.No.1082 of 1982 on the file of the X Assistant City Civil Court, Chennai, and to direct to hear the Execution Applications and dispose on merits.

For Petitioners : Mr.R.Loganathan

For Respondents

R1 : Died

R2 to R5 : Mr.P.Mani

ORDER

This Civil Revision Petition has been filed against the order of delivery, passed by the Execution Court in E.P.No.1580 of 2010 in O.S.No.1082 of 1982.

2.This revision is pending from the year 2011. Now, it appears from the contentions of both sides that, delivery has been effected and possession has already been taken over by the Decree Holder and the Judgment Debtor has filed an application before the Execution Court for restitution of possession and the same was returned.

3.That being the position, nothing survives in the present Civil Revision Petition for consideration. Hence, this Civil Revision Petition stands dismissed, as the matter pertaining to this revision has become infructuous. No costs. Consequently, connected Miscellaneous Petitions are closed.

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05.04.2019

Index : Yes / No
Internet : Yes / No
Speaking order / Nonspeaking order

To

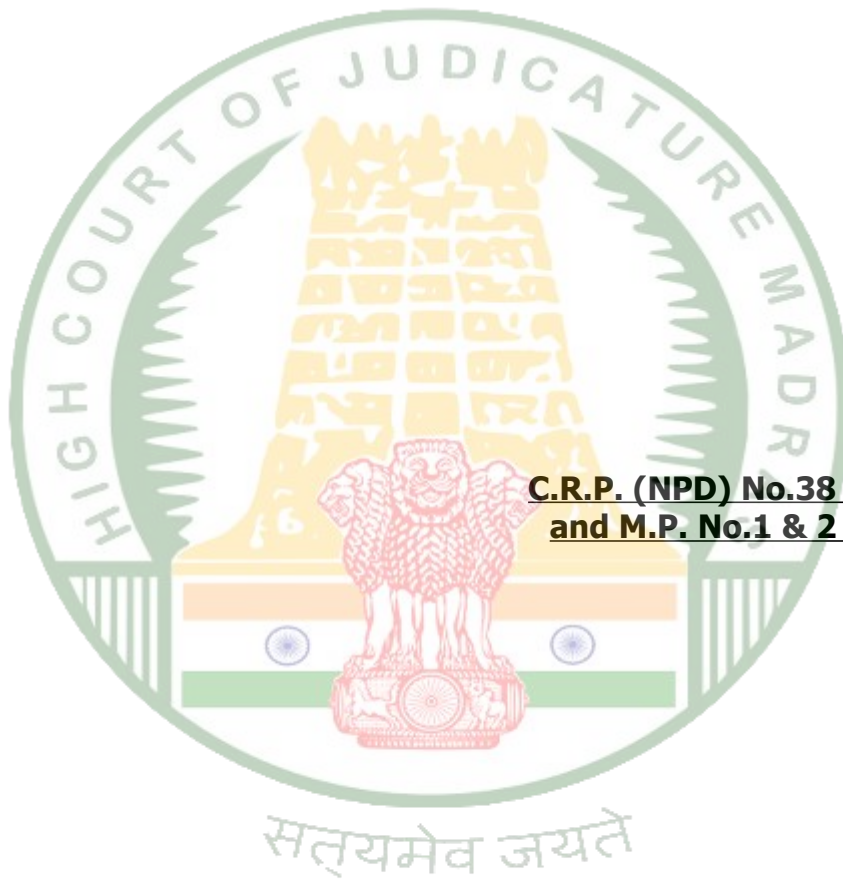
The X Assistant Judge,
City Civil Court,
Chennai.



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N. SATHISH KUMAR, J.

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and M.P. No.1 & 2 of 2011**

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