

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISHKUMAR

CRP NO.3103 OF 2013 and
M.P.No.1 of 2013

1. K.Sureshkumar
2. Muthammal (deceased)
3. S.Vivinprasanna
4. S.Sindhuja

... Revision Petitioner

Vs.

1. Ponnammal
2. C.S.Shanmugam
3. C.S.Natarajan

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 22.03.2013 passed by the IV Additional District Sessions Judge, Coimbatore in CMA No.87 of 2010 confirming the order dated 09.08.2010 passed by the Principal Subordinate Judge, Coimbatore in I.A.No.2 of 2010 in O.S.No.5 of 2010.

For Revision Petitioner : Mr.Dhalapathy Vignesh Kumar

For Respondents : No appearance

JUDGMENT

Aggrieved over the order dated 22.03.2013 passed by the IV additional District Sessions Judge, Coimbatore in CMA No.87 of 2010 confirming the order of dismissal dated 09.08.2010 passed by the Principal Subordinate Judge, Coimbatore in I.A.No.2 of 2010 in O.S.No.5 of 2010, this civil revision petition has been filed.

2. The learned counsel appearing for the revision petitioner would submit that the suit in O.S.No.5 of 2010, before the Principal Subordinate Judge, Coimbatore has been dismissed for default on 13.12.2008.

3. Inview of the submission made by the learned counsel appearing for the revision petitioner, nothing survives in this revision petition for further adjudication and the petition becomes infructuous.

4. Hence, the civil revision petition is dismissed as infructuous. However, in the event of restoration of the suit, the Principal Subordinate Judge, Coimbatore is directed to dispose of the suit, within a period of three months from the date of restoration of the suit.

5. With the above observations, this civil revision petition is disposed of. No costs. Consequently, connected civil miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mst

To

1. The IV Additional District and Sessions Judge, Coimbatore.
2. The Principal Subordinate Judge, Coimbatore.

Copy To

The Section Officer,
VR Section, High Court,
Madras-104 (2 Copies)

+1cc to M/S.M.Sriram, Advocate, S.R.No.10475

+1cc to M/s.Waraon & Sai Rams, Advocate, S.R.No.10537

CRP No.3103 of 2013 and
M.P.No.1 of 2013

GJII(CO)
CS/03/04/2019

WEB COPY