

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2019

CORAM

THE HONOURABLE MR. JUSTICE M. DURAISWAMY

C.R.P.(PD) No.778 of 2013 and
M.P.No.1 of 2013

1. Vasumathi H. Sha

2. Nishant H. Sha

... Petitioners

v.

Paraesh R. Kanaiya

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India to call for the records of the learned IV Additional City Civil Court, Chennai dated 30.11.2012 in I.A.No.12561 of 2011 in O.S.No.9525 of 2010 and set aside the same.

For Petitioners : No Appearance

For Respondent : Mr. C.K.M. Appaji

ORDER

When the matter was listed for hearing on 24.09.2019, it was brought to the notice of this Court that the learned counsel appearing for the petitioners had died. Therefore, the Registry was directed to send death memo to the petitioners returnable 15.10.2019. Accordingly, the Registry sent death memo to the petitioners. However, the notice was returned unserved with an endorsement "no such persons". In these circumstances, the Registry was directed to print the name of the petitioners in the cause list and list the matter on 01.11.2019. On 01.11.2019, though the name of the petitioners have been printed in the case list, none appeared for the petitioners. Hence, the Registry was directed to list the matter under the caption "for dismissal" on 04.11.2019.

2. Though the matter has been listed under the caption "for dismissal" today, none appeared for the petitioners. In these circumstances, , this Court has no other option except to dismiss the Civil Revision Petition for non prosecution. Accordingly, the Civil Revision

Petition is dismissed for non prosecution. No costs. Consequently,
the connected Miscellaneous Petition is closed.

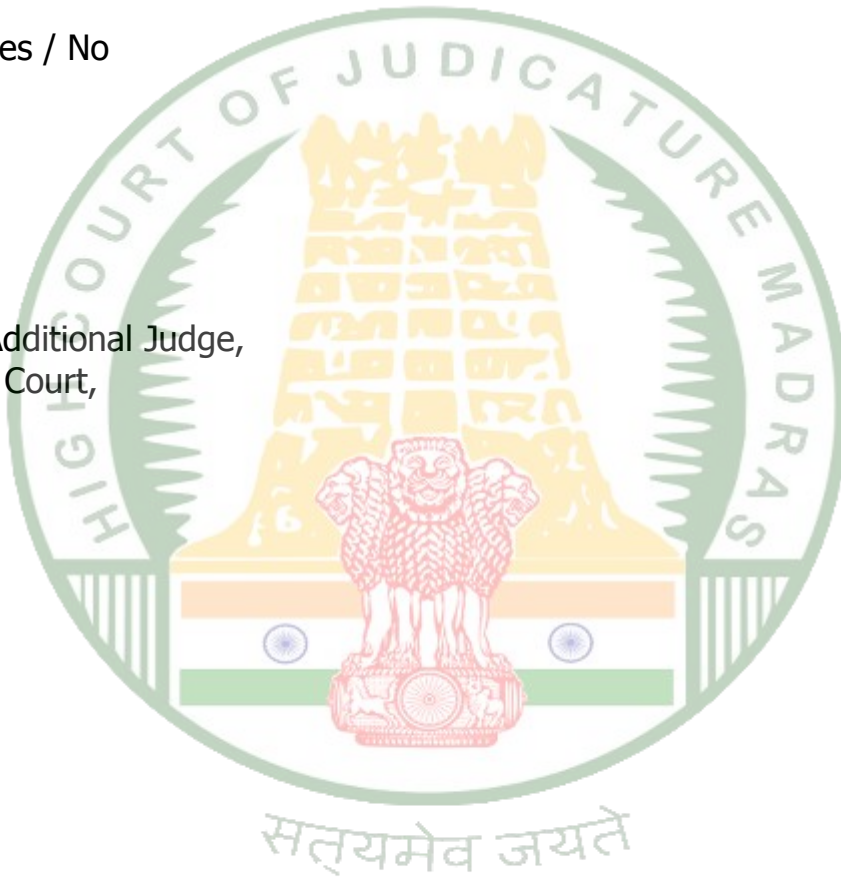
04.11.2019

Index : Yes / No

Rj

To

The IV Additional Judge,
Civil Civil Court,
Chennai.

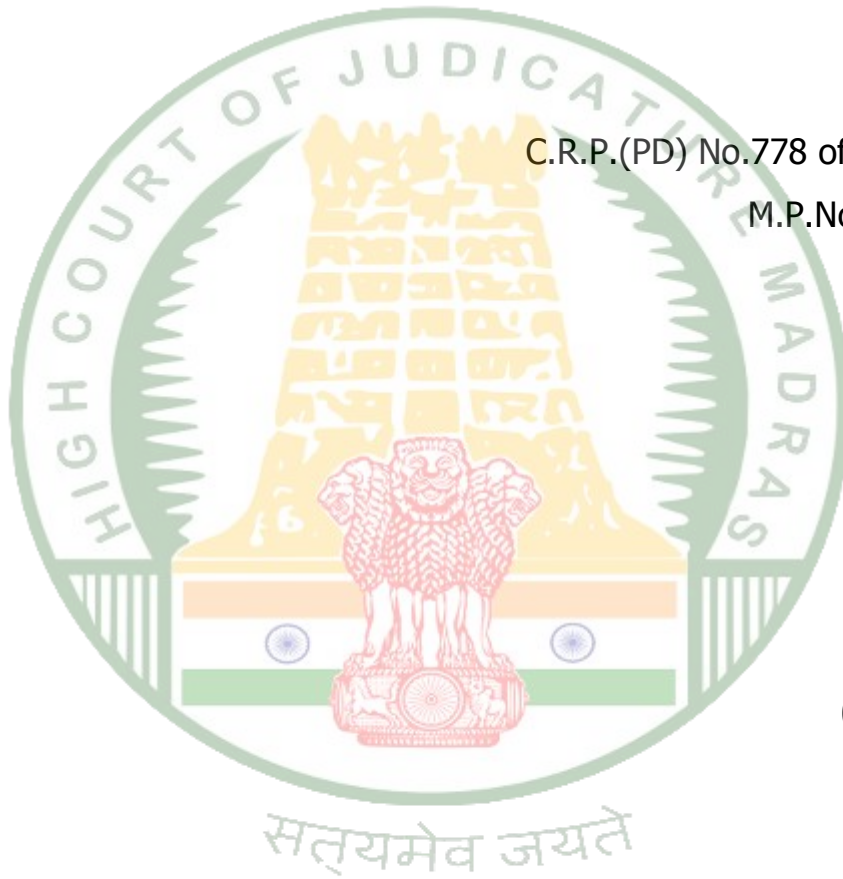


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C.R.P.(PD).No.778 of 2013

M. DURAISWAMY,J.,

Rj



C.R.P.(PD) No.778 of 2013 and
M.P.No.1 of 2013

04.11.2019

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