

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2019

C O R A M

THE HON'BLE Mr.JUSTICE ABDUL QUDDHOSE

C.R.P. (PD) No.4584 of 2014 &
M.P.No.1 of 2014

- 1.Kasi Viswanathan
- 2.K.Angappan
- 3.K.Shanmugam
- 4.M.Madhaiyan
- 5.M.Devadoss

... Petitioners

Vs.

- 1.G.Ganesan
- 2.G.Mathaiyan
- 3.Mythili
- 4.M.Boopathy
- 5.M.Ashok Kumar
- 6.S.Sasikala
- 7.V.Visalakshi

- 8.The Village Administrative Officer,
Mecheri Village & Taluk,
Namakkal District.

- 9.The Tahsildar,
Mettur Taluk,
Salem District.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India against the fair and decreetal order dated 04.07.2014 made in I.A.No.581 of 2013 in O.S.No.35 of 2013 on the file of Sub Court, Mettur.

For Petitioners ... Mr.J.Ramakrishnan

For Respondent 1 ... Mr.A.Sundaravadhanan

For Respondents 2 to 9... No appearance

ORDER

The instant civil revision petition has been filed challenging the order dismissing the application filed by the petitioners/plaintiffs in the suit for impleadment of the proposed parties 1 to 7 as defendants 3 to 9 under Order I Rule 10 CPC.

2. It is brought to the notice of this Court by the learned counsel for the respondents that the suit has been dismissed for default on 27.03.2018 and therefore, the civil revision petition has now become infructuous.

3. The learned counsel for the petitioners submits that already an application to restore the suit which was dismissed for default has

been filed by the plaintiffs on 17.04.2018 in SR.No.1842 of 2018 before the trial court and the same has not been numbered for want of court bundle. He seeks liberty of this Court to file a fresh civil revision petition, as and when the suit is restored to the file of the trial court.

4. Recording the submissions made by the respective counsels, this civil revision petition is disposed of as infructuous, however, liberty is granted to the petitioners, as and when the suit O.S.No.35 of 2013 is restored to the file of the Sub Court, Mettur. No costs. Consequently, connected miscellaneous petition is closed.

03.07.2019

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Index : Yes / No

Internet: Yes/No

Speaking/Non-Speaking orders

To

1. The Sub Court, Mettur.

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ABDUL QUDDHOSE. J,

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