

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Thirtieth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRP (MD) No.2033 of 2010

V.M.PANDI

... PETITIONER/PETITIONER/
RESPONDENT/DEFENDANT

Vs

SRI BAIRAGI MADAM
REP. BY ITS MAHANT
THIRU.L.SANTHARAM,
NO.21, SOUTH CHITHIRAI STREET,
MADURAI.

... RESPONDENT/RESPONDENT/
PETITIONER/PLAINTIFF

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the Fair Order and Decree dated 30/08/2010 passed in E.A.No.124/2010 in E.P.No.131/2008 in O.S.No.636/1998 on the file of Additional District Munsif, Madurai Town and to set aside the same and pass such further or other orders as deemed fit and thus render justice.

ORDER :This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.ANANTH C.RAJESH, Advocate for the petitioner, the court made the following order:-

Today, when the matter is taken up for hearing, the learned counsel for the petitioner / defendant would submit that the petitioner already filed W.P.No.15346 of 2004, in which, this Court observed that the petitioner cannot be considered as an encroacher and therefore, the learned Trial Judge ought not to have dismissed the petition filed by the petitioner / defendant.

2.The learned counsel for the respondent / plaintiff would submit that the Trial Court found that the petitioner is an encroacher and the said findings was confirmed in the first appeal as well as in the second appeal, for which, the learned counsel for the petitioner would state that against the Judgment and decree passed in the second appeal, a review application has been filed in Rev.Applc (MD) No.72 of 2009 and the same is still pending.

3.In view of the above, the Registry is directed to tag this revision petition along with Rev.Aplc(MD)No.72 of 2009 and post the matter before the appropriate Court on 06.06.2019.

sd/-
30/04/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

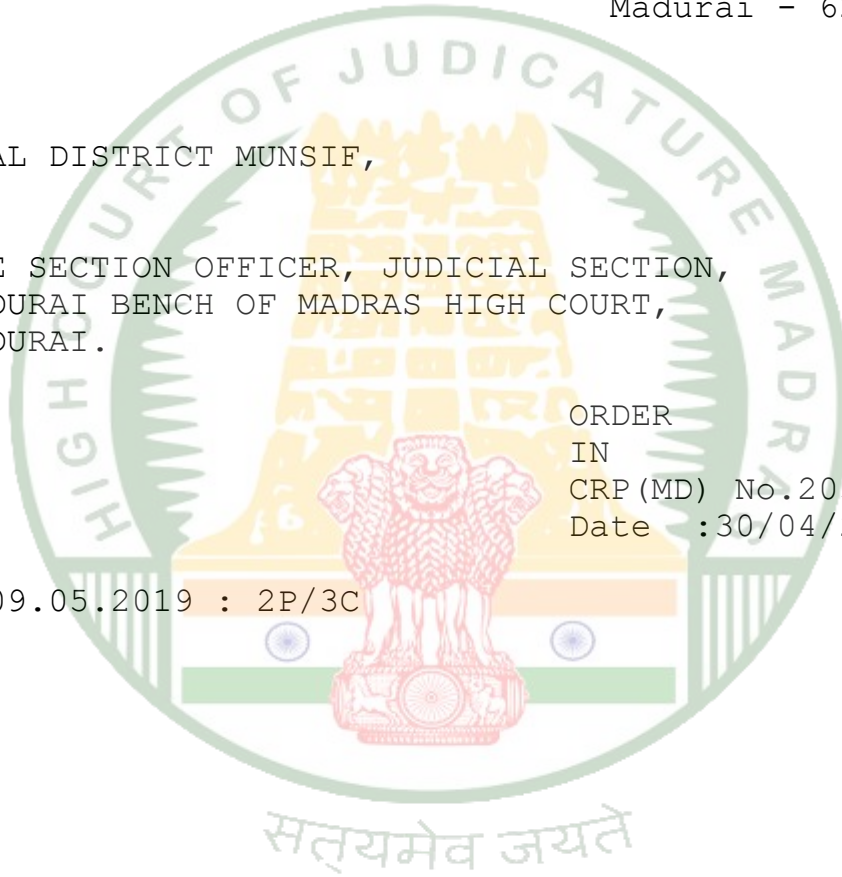
TO

THE ADDITIONAL DISTRICT MUNSIF,
MADURAI TOWN.

COPY TO : THE SECTION OFFICER, JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRP(MD) No.2033 of 2010
Date :30/04/2019

SMN
PK/PN/SAR-1/09.05.2019 : 2P/3C



WEB COPY