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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2019

CORAM

THE HON'BLE MR.JUSTICE **S.S.SUNDAR**

C.R.P (PD) (MD)No.782 of 2011

and

M.P. (MD)No.2 of 2011

The Tamil Nadu Mercantile Bank Ltd.,
Rep. by its Branch Manager,
Salai Road,
Dindigul.

: Petitioner/3rd Respondent/3rd Defendant

.. Vs ..

1.Kavitha : Respondent/Petitioner/Plaintiff
2.Raj Kumar
3.Sathish Prem Kumar : Respondents/1st and 2nd Respondent/
1st and 2nd Defendant

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to call for the records relating to I.A.No.127 of 2011 in O.S.No.174 of 2011 dated 02.03.2011 on the file of the Additional District Munsif Court, Dindigul and set aside the same as illegal and allow the Civil Revision Petition.

For Petitioner : Mr.Pala Ramasamy
For Respondent 1 : Mr.A.Saravanan
for M/s.Perfect Law Associates
For Respondent 2 : Mr.T.Lajapathi Roy
For Respondent 3 : No appearance

ORDER

This Civil Revision Petition has been preferred by the petitioner Bank as against the interim order of injunction granted in I.A.No.127 of 2011 in O.S.No.174 of 2011 by the learned Additional District Munsif, Dindigul.

2.The interim order is to the effect that the bank should be restrained from conducting the public auction on 03.03.2011 and initiating the proceedings under SARFAESI Act, 2002. It is now stated that the mortgaged property was sold. The petitioner has filed a memo countersigned by the learned Counsel stating that the suit in O.S.No.174 of 2011 was dismissed for default on 11.08.2018 and that it was not restored till date. It is, therefore, submitted that nothing survives for adjudication in this Civil Revision Petition.



3. Recording the statement of the learned Counsel appearing for the petitioner and the memo dated 09.07.2019, this Civil Revision Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar(Records)

// True Copy //

Sub Assistant Registrar(CS)

ENCL.: XEROX COPY OF MEMO FILED BY THE PETITIONER BANK.

SRM

To

The Additional District Munsif Court,
Dindigul.

C.R.P (PD) (MD) No.782 of 2011
10.07.2019

SE(CO)

TR (24.07.2019) 2P 2C