



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

C.R.P (MD) No.1367 of 2019 and
CMP (MD) .No.7334 of 2019

S. Alwarsamy .. Revision Petitioner / 1st defendant

Vs.

1.R. Ayyammal
2.R.Alwarsamy
3.R.Soniagandhi .. Respondents / petitioner / plaintiffs

PRAYER: This Civil Revision Petition is filed to set aside the order passed in E.P.No.68 of 2017 in O.S.No. 160 of 2015, dated 21.03.2019, on the file of the Subordinate Judge, Kovilpatti.

For Petitioner : Mr. S. Kadarkarai
For R1 & R2 : Mr. P. Rajagopalan
for M/s. R. Devaraj

ORDER

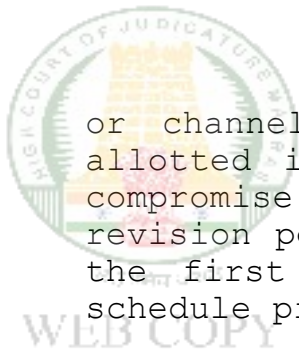
This Civil Revision Petition has been filed to set aside the order passed in E.P.No.68 of 2017 in O.S.No. 160 of 2015, dated 21.03.2019, on the file of the Subordinate Judge, Kovilpatti.

2. The suit was decreed on 29.06.2016, based on the compromise entered into between the parties. Now, the respondents herein filed Execution Petition to take the possession of the property. The Court below also ordered Execution Petition. However, the revision petitioner, challenging the said order, filed the revision petition stating that though the parties to the suit have arrived at compromise, the respondents herein have now made an attempt to put up channel in his property.

3. On the contrary, the learned counsel appearing for the respondents contended that they are not intended to put any pathway or channel in the second schedule property.

4. I have heard the learned counsel appearing on either side and perused the materials available on record.

5. The learned counsel appearing for the respondents submitted that the respondents are not going to put up any pathway



or channel in the second schedule property, which is presently allotted in favour of the revision petitioner herein as per the compromise arrived at between them. The learned counsel for the revision petitioner also agreed that the petitioner is entitled to the first schedule property and he has no right in the second schedule property. The above submission of both sides is recorded.

6. In view of the above submission of the parties, this Court is of the view that no further order is necessary in this civil Revision Petition. Hence, this Civil Revision Petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Crl Side)

// True Copy //

Sub Assistant Registrar(CS)

trp

To

1. The Subordinate Judge, kovilpatti.

+1CC TO MR.R.DEVARAJ, Advocate Sr. No.96253

+1CC TO MR.S.KADARKARAI, Advocate Sr. No. 95988

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SVR(CO)

TR(05.12.2019)2P 4C