



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2019

CORAM

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

C.R.P(PD) (MD)No.1274 of 2013

and

M.P.(MD) No.1 of 2013

M.Nesamani,
S/o.Muthayyan Nadar,
M/s.Tercoh General Industries SIDCO Industrial Estate,
Kappukadu, Marthandam,
Vilavancode Taluk,
Kanyakumari District. : Petitioner/Petitioner/Petitioner

.. Vs ..

The Head of the Indian Rare Earth Ltd.,
Manavalakurichi Plant, (M.K.Plant),
Manavalakurichi, Manavalakurichi Village,
Kalkulam Taluk,
Kanyakumari District. : Respondent/Respondent/Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and decretal order dated 18.02.2013 passed in I.A.No.133 of 2012 in AROP No.4 of 2009 on the file of the District Judge, Kanyakumari District at Nagercoil.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondent : Mr.C.Muthusaravanan

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ORDER

This Civil Revision Petition is preferred against the order passed by the learned District Judge, Kanyakumari District at Nagercoil in I.A.No.133 of 2012 in AR.O.P.No.4 of 2009.

2.The revision petitioner earlier filed an arbitration original petition in AR.O.P.No.4 of 2009 to set aside the award dated 04.02.2009 in O.P.No.1 of 2007 of the MSE Facilitation Council, Madurai Region. During the pendency of the arbitration original petition, the revision petitioner filed an application under Order VII, Rule 14(3) of C.P.C. for reception of certain documents. The said petition was dismissed by the lower Court. As against that, the above Civil Revision Petition is preferred.



the file of the District Judge, Kanyakumari District at Nagercoil, has already been disposed of and that therefore, the prayer in this Civil Revision Petition has become infructuous.

4. Recording the said submission of the learned Counsel appearing for the petitioner, this Civil Revision Petition is dismissed as infructuous. This order does not prevent the revision petitioner from filing any appeal if it is available to him in law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Judge,
Kanyakumari District at Nagercoil.

2. The Head of the Indian Rare Earth Ltd.,
Manavalakurichi Plant, (M.K.Plant),
Manavalakurichi, Manavalakurichi Village,
Kalkulam Taluk,
Kanyakumari District.

+1 CC to M/s.C.MUTHU SARAVANAN, Advocate (SR-51272[F] dated 04/03/2019)

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-51227[F] dated 04/03/2019)

srm

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