

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

C.R.P(NPD).No.1600 of 2015
and
M.P.No.1 of 2015

Ramasamy Petitioner

Vs.

1.Kolandai @ Muthu Gounder
2.Kandammal Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the Fair and Decreetal order of the Additional District Judge's Court at Namakkal dated 13.02.2015 made in I.A.No.35 of 2014 in A.S.No.26 of 2013.

For Petitioner : Mr.P.Valliappan

For Respondents : Mr.R.Jayaprakash

ORDER

This Civil Revision Petition has been filed against the order passed by the Additional District Judge, Namakkal, in I.A.No.35 of 2014 in A.S.No.26 of 2013 dated 13.02.2015.

2.The petitioner herein had filed a suit in O.S.No.297 of 2008 on the file of the Sub Judge, Rasipuram for the relief of declaration and permanent injunction. The said suit was decreed. As against the same, the respondents herein had filed an Appeal in A.S.No.26 of 2013 on the file of the Additional District Judge, Namakkal. During the pendency of the said appeal, the respondents herein had filed an application in I.A.No.35 of 2014 under Order 41 Rule 27 of CPC seeking permission of the Court to receive additional documentary evidence. The learned Additional District Judge, Namakkal, by the order dated 13.12.2015 had allowed the said Application. Feeling aggrieved, the respondent/Plaintiff had filed the present Civil Revision Petition.

3.The learned counsel for the petitioner has submitted that, during the pendency of this Civil Revision Petition, the learned Additional District Judge, Namakkal had dismissed the appeal on merits on 03.01.2019. As against the same, the respondents herein had filed a Second Appeal in S.A.No.614 of 2019 and this Court had dismissed the said Second Appeal on 19.12.2019, and hence, he requests to close this Civil Revision Petition.

4.The learned counsel for the respondents has submitted that the respondents have filed an application to review the judgment passed in Second Appeal in S.A.No.614 of 2019 and hence, she requests to post this matter on some other day.

5.Considering the fact that, already the First Appeal and the Second Appeal have been disposed of, this Court is of the view that this Civil Revision Petition need not be kept pending.

6.Hence, this Civil Revision Petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

10.11.2020

Index :Yes/No
Internet : Yes/No
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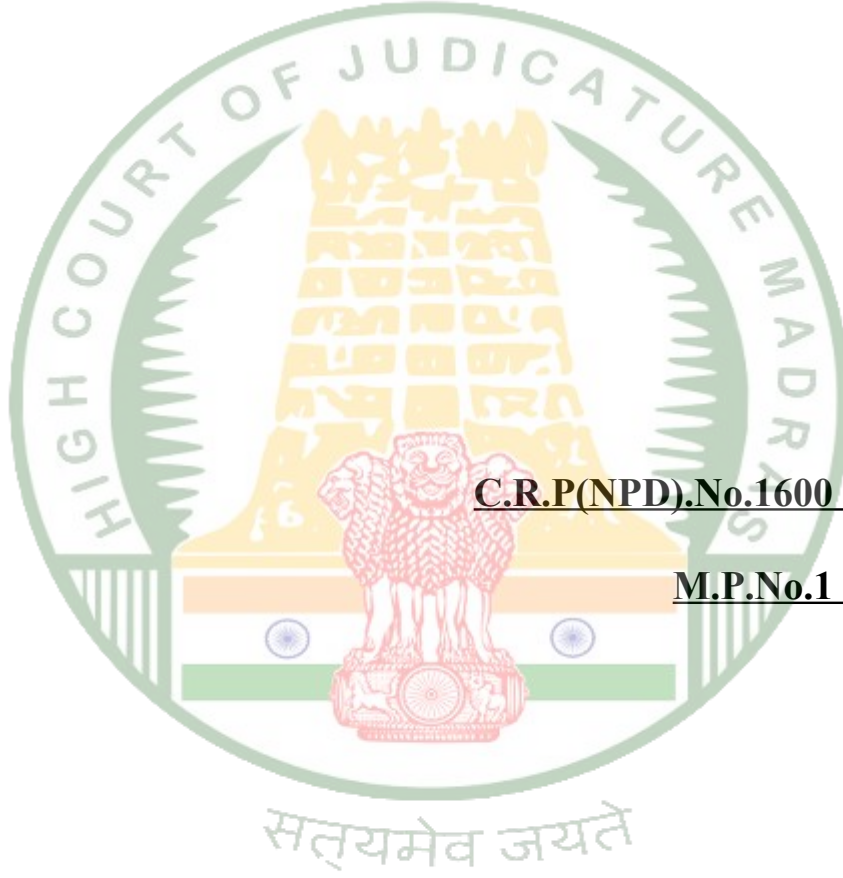
To

The Additional District Court,
Namakkal.

CRP (NPD).No.1600 of 2015

P.RAJAMANICKAM.J.,

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