

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

C.R.P(NPD).No.2301 of 2015

and

M.P.No.1 of 2015

1.Ramanathan

2.M.Viswanath

... Petitioners

Vs.

S.Padmavathi

... Respondent

Prayer: Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure, to set aside the fair and decreetal order dated 24.03.2015 in I.A.No.1326 of 2014 in O.S.No.319 of 2003 on the file of the District Munsif –cum – Judicial Magistrate, Sriperumbudur.

For Petitioners : No appearance

For Respondent : No appearance

ORDER

This Civil Revision Petition has been filed by the Petitioner/defendant against the dismissal of their Application in I.A.No.1326 of 2014 in O.S.No.319 of 2003 on the file of the District Munsif-cum-Judicial Magistrate, Sriperambadur dated 24.03.2015.

2.The Respondent herein has filed a suit in O.S.No.319 of 2003 on the file of the District Munsif-cum-Judicial Magistrate, Sriperumbudur against the petitioners herein for the relief of permanent injunction restraining them from interfering with the possession of the suit property.

3. The petitioners herein, after receipt of the summons, entered into appearance through counsel and thereafter they did not file written statement and hence the Trial Court has set them *ex parte* on 15.09.2014. Thereafter, the petitioners herein filed an Application in I.A.No. 1326 of 2014 to set aside the said *ex parte* order. The learned District Munsif cum Judicial Magistrate by the order dated 24.03.2015 has dismissed the said petition. Feeling aggrieved, the petitioners/defendants have filed the present Civil Revision Petition.

4. Both sides counsel not connected through Video Conferencing.

5. When the matter came up for hearing before this Court on 06.10.2020, this Court passed an order directing the Registry to call for a report by fax from the District Munsif-cum-Judicial Magistrate,

Sriperumbudur as to the status of the suit in O.S.No.319 of 2013. Accordingly, the Registry has called for a report from the Trial Court. The Trial Court by the letter dated 15.10.2020 in Dis.No.955 of 2020 has stated that the suit in O.S.No.319 of 2013 was disposed of and an *ex parte* decree was passed on 30.04.2015. Hence, nothing survives in this Civil Revision Petition.

6.In the result, this Civil Revision Petition is dismissed as infructuous. No costs. Consequently connected miscellaneous petition is closed.

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Index :Yes/No
Internet : Yes/No
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To

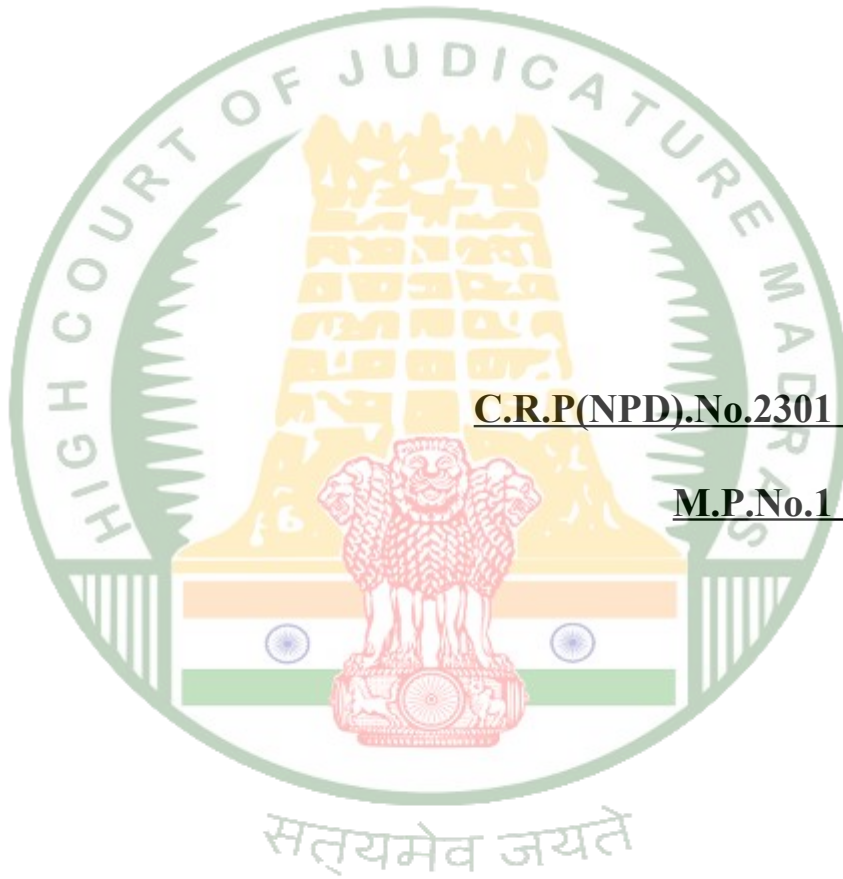
The District Munsif,
Sriperumbudur.

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P.RAJAMANICKAM.J.,

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