

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

C.R.P(PD).No.2429 of 2015

and

M.P.No.1 of 2015

Nibu Sayed,

... Petitioner

Vs.

1.H.A.Gopal

2.H.A.Balasubramaniam

3.The Tahsildar,
Kotagiri Taluk,
Kotagiri, The Nilgiris.

4.The Revenue Divisional Officer,
Coonoor, The Nilgiris.

5.The Collector of Nilgiris,
Ootacamund, The Nilgiris.

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order in I.A.No.145 of 2014 in O.S.No.18 of 2014 on the file of the learned District Munsif, Kotagiri and direct the respondent to pay the correct court-fees calculated on the prevailing market value on reliefs (a) (b) in the plaint in O.S.No.18/2014 on the file

of the learned District Munsif, Kotagiri and present the said plaint before the competent court of pecuniary jurisdiction.

For Petitioner : Mr.K.F.Manavalan
For Respondents :
For R1 : Ms.R.Gowri

ORDER

This Civil Revision Petition has been filed by the petitioner/first defendant against the dismissal of his petition filed in I.A.No.145 of 2014 in O.S.No.18 of 2014 on the file of the District Munsif, Kotagiri under Section 12(5) r/w 12 (2) of the Court Fees and Suits Valuation Act, dated 17.02.2015.

2. The learned counsel for the petitioner has submitted that during pendency of this Civil Revision Petition, the trial court has dismissed the suit on 16.10.2019 for default and hence he requests to dismiss this Civil Revision Petition with liberty to file fresh petition in case the suit is restored to file. He also undertakes to send an e-mail to that effect. The learned counsel for the first respondent/plaintiff has submitted that the parties have settled the matter and in view of the said settlement, the suit was dismissed.

3. Considering the aforesaid submissions, this Civil Revision Petition is dismissed as infructuous with liberty to file fresh Civil Revision Petition if the suit subsequently restored to file. No costs. Consequently, connected miscellaneous petition is closed.

08.10.2020

Vv

Index :Yes/No

Internet : Yes/No

To

The District Munsif Court,
Kotagiri, Nilgiris.



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