

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P.(NPD).No.738 of 2018

K.Krishnamoorthy

... Petitioner

-Vs-

S.Seetharaman

... Respondent

Prayer : Petition filed under Section 115 of Civil Procedure Code, against the order and decretal order dated 27.04.2016 passed in I.A.No.840 of 2014 in O.S.No.39 of 2010 on the file of the learned District Munsif Court, Sirkali praying for setting aside the same.

For Petitioner

: Mr.S.Sadasharam

ORDER

The petitioner in this Civil Revision Petition who is the plaintiff in O.S.No.39 of 2010 challenges an order of the trial court made in I.A.No.840 of 2014 in and by which the trial judge dismissed the application for condonation of delay in seeking restoration of the suit which was dismissed for default.

2. Mr.S.Sadasharam, learned counsel appearing for the petitioner would submit that the respondent is no more. The suit being one for a personal relief of injunction, the cause of action dies along with the defendant.

3. Hence, nothing survives in this civil revision petition. Therefore it is dismissed as having become infructuous.

21.08.2020

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Index: Yes / No

Speaking order / Non speaking order

To

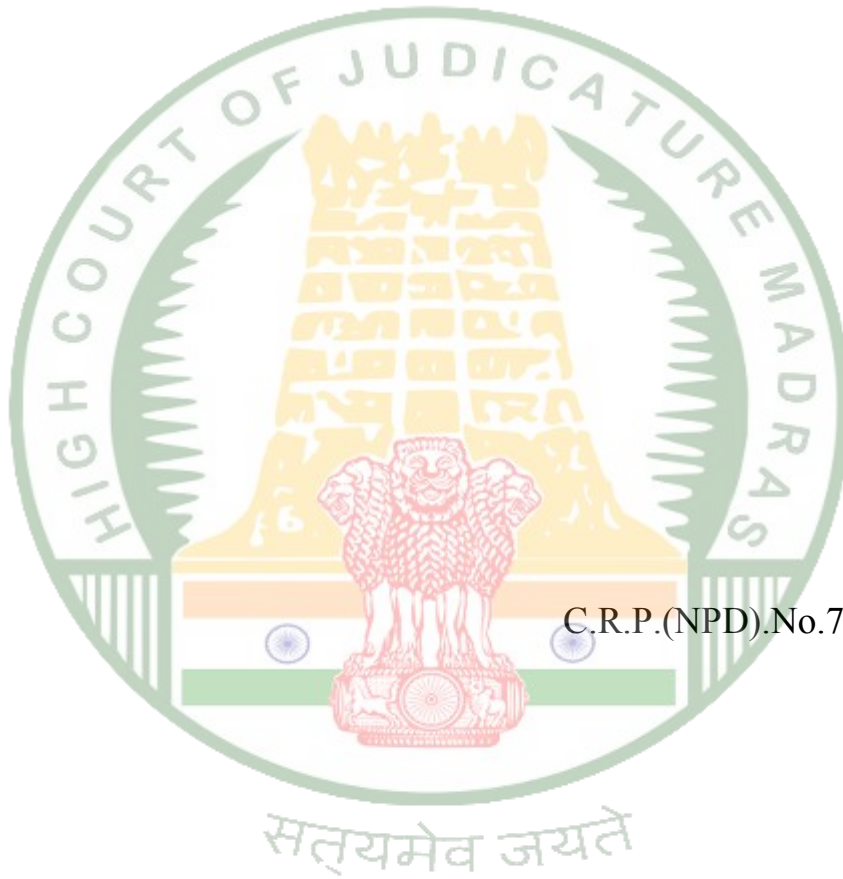
The learned District Munsif Court,

Sirkali

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R.SUBRAMANIAN, J.

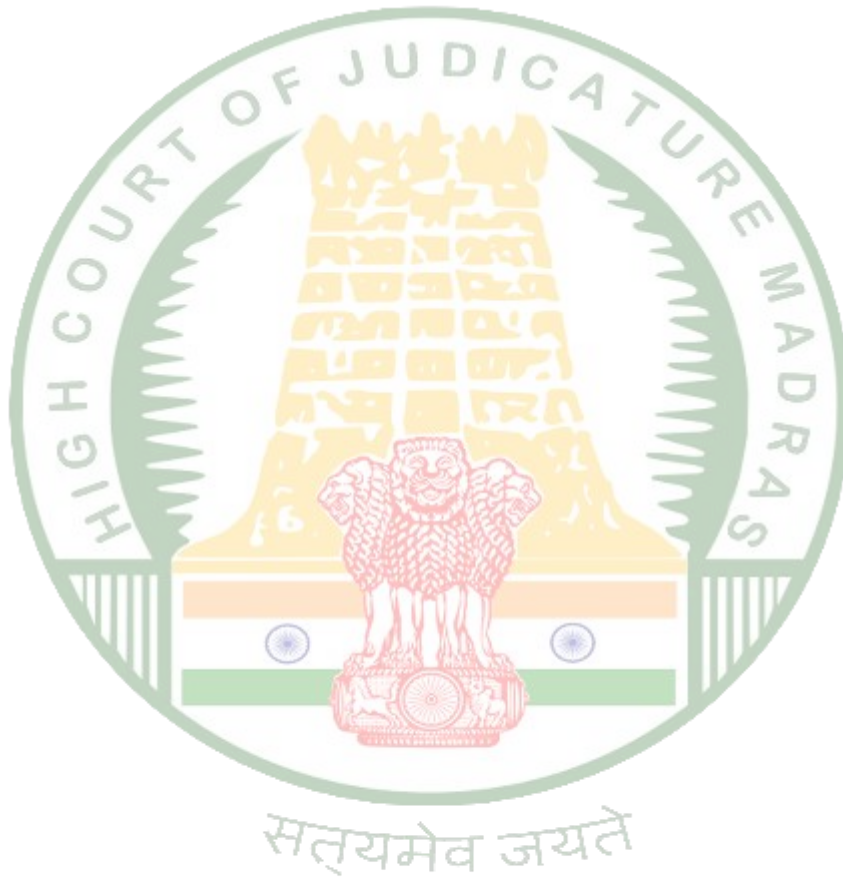
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