



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **21.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **T.RAJA**

CRP(NPD) (MD)No.1473 of 2012
and M.P. (MD)No.1 of 2012

K.Rajendran

... Petitioner/Petitioner/Appellant

versus

1. P.Nallasamy

2. K.Palanisamy

... Respondents/Respondents/Respondents

Civil Revision Petition filed under Section 115 of C.P.C. against the fair and decreetal order dated 05.03.2012 passed in I.A.No.17 of 2012 in A.S.No.98 of 2011 on the file of the Additional Subordinate Judge, Karur.

For Petitioner : M/s.M.Karal Marx

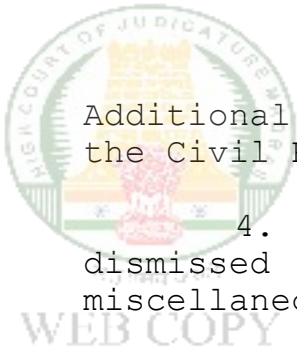
For Respondents : Mrs.S.Prabha
for Mr.S.Gokulraj

ORDER

This Civil Revision Petition has been filed by the petitioner, challenging the order dated 05.03.2012 passed in I.A.No.17 of 2012 in A.S.No.98 of 2011 on the file of the learned Additional Subordinate Judge, Karur.

2. Originally, the petitioner herein is the first defendant in the suit in O.S. No.778 of 2007 on the file of the District Munsif Court, Karur. The said suit filed by the first respondent herein was decreed ex parte on 19.01.2011, against which, the petitioner herein filed appeal in A.S.No.98 of 2011 before the learned Additional Subordinate Judge, Karur. During the pendency of the appeal, he has also filed an application in I.A.No.17 of 2012 in A.S.No.98 of 2011 for appointment of an Advocate Commissioner to inspect the suit properties. As the said application was dismissed by order dated 05.03.2012, the present Civil Revision Petition has been filed.

3. It is submitted by the learned counsel appearing for the petitioner that during the pendency of the Civil Revision Petition, the appeal in A.S.No.98 of 2011 was allowed by the learned



Additional Subordinate Judge, Karur, hence, the prayer sought for in the Civil Revision Petition has become infructuous.

4. Recording the same, the Civil Revision Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar(CS)

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To

1.The Additional Subordinate Judge,
Karur.

2.The District Munsif, Karur.

+1 CC to M/s.S.GOKULRAJ, Advocate (SR-2216[F] dated 21/01/2020)

+1 CC to M/s.V.BALAJI, Advocate (SR-2374[F] dated 22/01/2020)

CRP (NPD) (MD) No.1473 of 2012

21.01.2020

JMN(31.01.2020) 2P : 5C