



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2020

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

C.R.P(PD) (MD)Nos.769 and 770 of 2011
and M.P(MD)No.1 of 2011

In C.R.P. (MD)No.769 of 2011:

K.S.Kamal Basha ... Petitioner/1st Defendant/1st Respondent

Vs.

1.Minor M.Sheik Mohamed

2.Minor M.Ajmal

(Both minors rep.by their natural guardian,next friend Father S.K.Mohamed Farukh)

3.Minor J.Mohamed Aasif

(Rep. By his natural guardian next friend and Father K.S.Mohamed Jaffer)

4.Minor S.Syeda Mofika Shifanaa

(Rep by her guardian father S.K. Mohamed Safiullah)

..Respondents 1 to 4/Plaintiffs 1 to 4/
Respondents 1 to 4

5.C.Thandapani

6.S.P.Palanisamy ...Respondents 5 & 6/Defendants 9 & 10/
Respondents 9 & 10

7.Nargise Begum

8.K.S.Kajama Begum

9.A.Jainab Begum

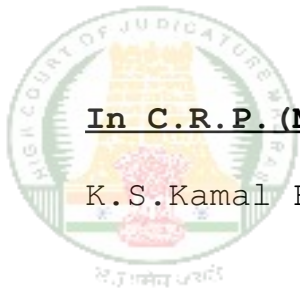
10.S.A.Mohaideen

11.S.A.Mohammed Ibrahim ..Respondents 7 & 11/Defendants
2 to 8/Respondents 2 to 8

12.Ajaarammal Beevi

...12th Respondent/11th Defendant/
11th Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India against the fair and decreetal order dated 01.12.2010 in I.A.No.262 of 2010 in O.S.No.1 of 2008 on the file of the learned District Judge, Karur.



In C.R.P. (MD)No.770 of 2011:

K.S.Kamal Basha

... Petitioner/1st Defendant/1st Petitioner

Vs.

1.Minor M.Sheik Mohamed

2.Minor M.Ajmal

(Both minors represented by their natural guardian, next friend
Father S.K.Mohamed Farukh)

3.Minor J.Mohamed Aasif

(Rep. By his natural guardian next friend and Father K.S.Mohamed
Jaffer)

4.Minor S.Syeda Mofika Shifanaa

(Rep by her guardian father S.K. Mohamed Safiullah)

..Respondents 1 to 4/Plaintiffs 1 to 4/

Respondents 1 to 4

5.Nargise Begum

6.K.S.Kajama Begum

... Respondents 5 & 6/Defendants 2 to 4/

Respondents 2 to 4

PRAYER: Civil Revision Petition is filed under Article 227 of
Constitution of India against the fair and decreetal order dated
29.03.2011 in I.A.No.64 of 2011 in O.S.No.1 of 2008 on the file of
the learned District Judge, Karur.

In both petitions:

For Petitioner : Mr.K.Govindarajan

For Respondents : No appearance

C O M M O N O R D E R

These Civil Revision Petitions are directed against the
orders passed in I.A.No.262 of 2010 dated 01.12.2010 and I.A.No.64
of 2011 dated 29.03.2011.

2. I.A.No.262 of 2010 was an application directing the first
defendant in the suit to deposit the sale consideration of
Rs.2,70,000/- to the credit of the suit. I.A.No.64 of 2011 was filed
seeking a direction to the plaintiffs to file an undertaking in
respect of number of witnesses who would be examined on the side of
the plaintiff in respect of disputed Hiba. I.A.No.262 of 2010 was
allowed and I.A.No.64 of 2011 was dismissed. Aggrieved, the third



party has filed C.R.P.(MD)No.769 of 2011. The first defendant has filed C.R.P(MD)No.770 of 2011.

3. Mr.K.Govindarajan, learned counsel appearing for the petitioners would submit that the main suit has been dismissed on 20.09.2013 itself. Hence, there is nothing to be adjudicated in these Civil Revision Petitions and the same have become infructuous.

4. In view of the above, these Civil Revision Petitions are dismissed as infructuous. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

CM

To,

The District Judge, Karur.

+1 CC to Mr.K.GOVINDARAJAN, Advocate (SR-4700[F] dated 04/02/2020)

C.R.P(PD) (MD)Nos.769 and 770 of 2011

31.01.2020

VB(09.03.2020) 3P 3C