

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

REV.APL.No.13 of 2015

M/s.Gnanambiga Mills Ltd.,
Rep.by its Executive Director,
Mr.Senthil Chinnaswamy
No.5307, Gnanambigai Mills Ltd.
Gnanambigai Post,
Coimbatore-641 029.

.. petitioner

vs.

Kongunadu Arts and Science
Rep.by its Secretary Dr.M.Aruchami
Gnanambigai Post,
Coimbatore-641 029.

.. Respondent

PRAYER : Revision Application filed under Order 47 Rule 1 and Section 151 of C.P.C, to set aside the judgment and decree dated 30.09.2013 made in C.M.A.No.1526 of 2006.

For Petitioner

: Mr.Vijaya Raghunathan
for M/s.Sarvabhauman Asso

For Respondents

: Mr.Shakespeare for
M/s.Puran Khemka

ORDER

The review petition is filed to review the order dated 30.09.2013 passed in C.M.A.No.1526 of 2006.

2. Undoubtedly, the scope of review is limited under Order XLVII Rule 1 of C.P.C.

3. The learned counsel appearing for the review petitioner made a submission that certain factual errors had been committed while recording the details of the property. However, the parties made a submission that the order in C.M.A.No.1526 of 2006 was passed in the year 2013 and subsequently, the suit in O.S.No.1415 of 2015 was filed by the respondents. In view of the fact that the fresh suit has already been instituted by one of the parties, the review petitioner and all other parties are at liberty to raise their grounds and adjudicate the issue in the said suit which is pending in O.S.No.1415 of 2015 and if necessary, file a petition for counter claim and conduct the case in accordance with law. Thus, the review petitioner as well as the respondent are at liberty to raise their grounds including the grounds

raised in the review petition and adjudicate the suit on merits and in accordance with law.

4. With this liberty, the review petition stands disposed of. No costs.

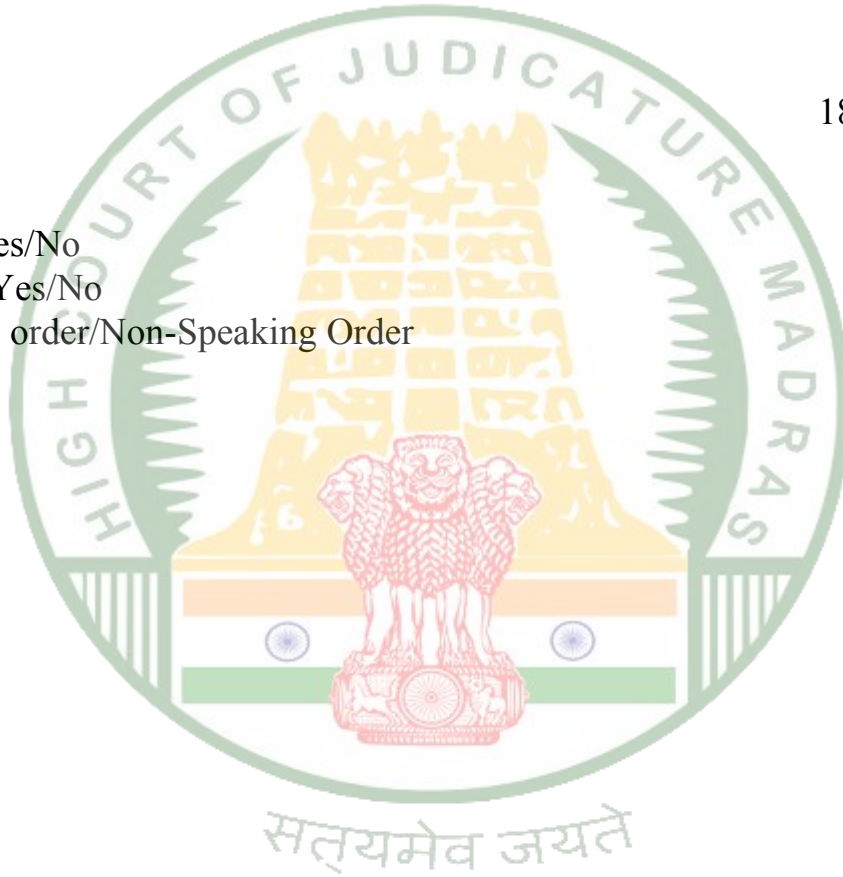
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ssb

Index: Yes/No

Internet: Yes/No

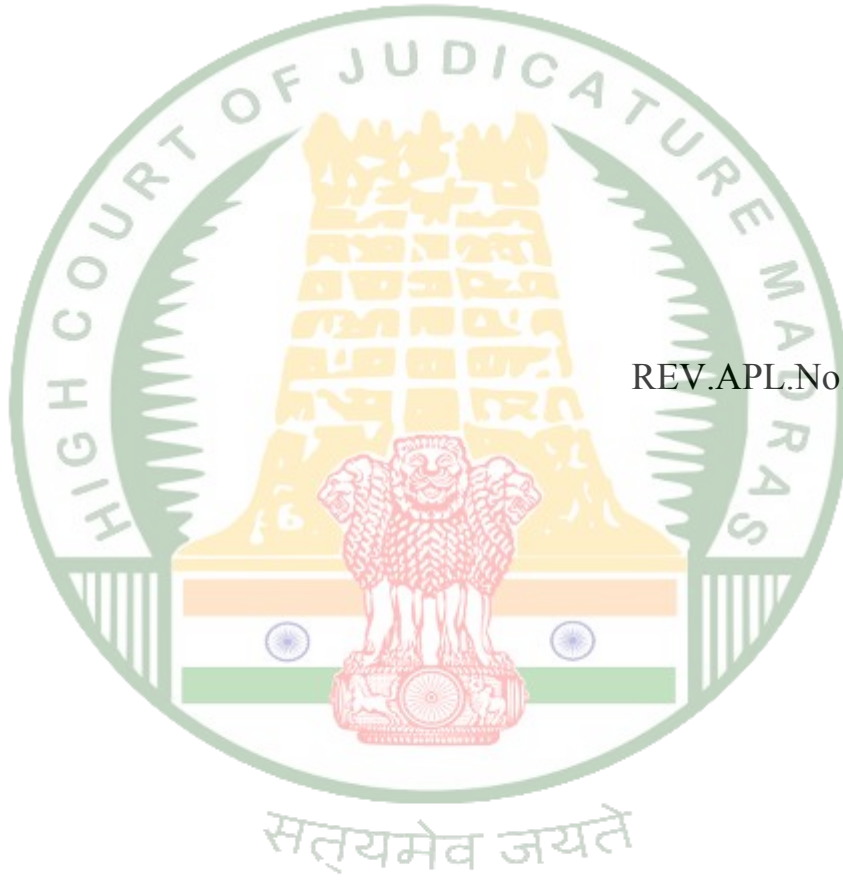
Speaking order/Non-Speaking Order



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S.M.SUBRAMANIAM, J.

ssb



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