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C.R.P. (PD) .No.1564 of 2016



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD).No.1564 of 2016

1.Subalakshmi

2.Bhavani

3.Packiyalakshmi

4.B.Packiyaraj

5.B.Bharathidasan

6.B.Pavalamani

.. Petitioners

Vs.

1.B.Padmanaban

2.Chinammal

3.B.Balasubramaniyan

4.Parameswari

.. Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and decretal order dated 21.09.2015 made in I.A.No.9081 of 2015 in O.S.No.14129 of 2010 on the file of the XIII Assistant City Civil Court, Chennai.



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For Petitioners : Mr.R.Dhinesh Kumar

For R1 : Mr.S.Ambalavanan

For RR 2 to 4 : Not ready in notice

ORDER

(The matter is heard through “Video Conferencing/Hybrid Mode”).

This Civil Revision Petition is filed against the fair and decretal order dated 21.09.2015 made in I.A.No.9081 of 2015 in O.S.No.14129 of 2010 on the file of the XIII Assistant City Civil Court, Chennai.

2.The learned counsel appearing for the petitioners and 1st respondent submitted that the 1st respondent filed suit for partition and the said suit was dismissed for default. Thereafter, the 1st respondent filed application to restore the suit in I.A.No.9081 of 2015 and the said I.A.No.9081 of 2015 was allowed on 21.09.2015. Challenging the said order dated 21.09.2015, the petitioners have filed the present Civil Revision Petition. Pending Civil Revision Petition, preliminary decree was passed in the suit on 15.06.2016. Challenging the preliminary decree and judgment, the petitioners have filed First Appeal in A.S.No.2 of 2017 and in view of the same, nothing survives in the present Civil Revision Petition.



3. Recording the above said submission made by the learned counsel appearing for the petitioners and 1st respondent, this Civil Revision Petition is dismissed as infructuous. No costs.

02.12.2021

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Index : Yes / No

Internet : Yes / No

To

The Learned XIII Assistant Judge,
City Civil Court,
Chennai.



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V.M.VELUMANI, J.

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