



REVIEW APPLICATION No.180 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2021

**CORAM :
THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

REVIEW APPLICATION No.180 of 2021
in
C.R.P.No.1056 of 2020

1.Laurence Kashmir
2.Angeline Kashmir
3.Francisca Kashmir
(The petitioners 2 & 3 are
represented by their power agent
Mr.Laurence Kashmir)

... Review Applicant/
Respondents

Vs.

1.Tidier Delphin
2.Leonie Delphin
3.Josephine Turgot
4.Rene Delphin
5.Fernand Delphin
6.Theodore Delphin
7.Emmanuel Delphin
8.Malarvidjy Delphin
9.Edvige Delphin
10.Virginia Delphin
11.Jean Marie Delphin
12.George Delphin
13.Chila Delphin
14.Thony Babu Delphin

...Respondent/petitioner



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15. Anitha Delphin
16. Gregorie Delphin
17. Marie Delphin
18. Simon Delphin

German Delphin (died)

19. Christain Kashmir

Turgot Sinnaya (Died)

20. Sambasivam
21. Gowtham
22. Dessindra Turgot
23. Joselina Turgot
24. Radja Turgot
25. Bernard Turgot
26. Nalina Turgot
27. Gracia Turgot
28. Bernadette Mala
29. Vennial Turgot
30. AroumayaTousseau Turgot
31. Senthia Turgot
32. Pradip Vidjay Turgot

(Respondents 2 to 32 are given up in this Review Petition
since they are not contested in CRP)

...Respondents/Respondents

PRAYER: Review application filed under Section 114 read with Order
47 Rule 1 of Civil Procedure Code, to review the order dated 06.07.2020,
passed in C.R.P.No.1056 of 2020, by setting aside the same and dismiss
Civil Revision Petition.

For Petitioner : Mr.R.Sreedhar



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For R1

: Ms.N.R.Jasmine Padma
For Mr.L.Chandrakumar

ORDER

Heard the learned Counsel for the review petitioner and also the learned Counsel for the respondents.

2.It is the contention of Mr.R.Sreedhar, learned Counsel for the Review petitioner that when the Revision petition came up for hearing, even though he was present, several orders had not been disclosed to this Court and as a matter of fact, decisions had also been rendered on various issues. The learned Counsel stated that only thereafter, did the learned Counsel in the Trial Court appraise him of certain further facts which had already taken place namely, that the Revision petitioner had filed applications and orders had also been passed in those applications.

3.Now, pursuant to the order in the review petition remanding the matter back to the learned Sub Judge for consideration. I am informed by both the learned Counsels and more particularly, by the learned Counsel, who appears for the respondents herein/Revision petitioner that



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arguments had already been advanced before the Sub-Court and matter is reserved for orders.

4.Let me therefore restrict with an observation that while examining the records of the case, the learned Principal Sub Judge of Puducherry may examine whether, on any issue, a finding had already been given. Then, it may not be prudent on his/her part to revisit those findings except in manner known to law. Let him/her pass orders on the basis of the arguments advanced on the issues on which orders will necessarily have to be passed, but let him/her not revisit orders already passed except in manner directed or if those orders have been interfered with or set aside by an appellate forum or a revisional forum.

5.No further observations are required. This Review Application is disposed of. No costs.

09.12.2021

Index: Yes / No
Internet: Yes / No
lr



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Note: Issue order copy on 10.12.2021

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C.V.KARTHIKEYAN, J.

lr

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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in

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