

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD).No.3438 of 2017

and

C.M.P.No.15952 of 2017

1.Samuel

2.Shanthi

.. Petitioners

Vs.

1.Malarveni

2.Mohan

3.Dhinakaran

4.Kavitha

5.Joice

.. Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and decretal order dated 18.07.2017 made in I.A.No.108 of 2017 in O.S.No.104 of 2003 on the file of the District Munsif Court, Gudiyatham, Vellore District.

For Petitioners : Mr.M.Himavanth
for Mr.P.Vasanth
For RR 1 to 3 : Mr.T.Dhanyakumar

ORDER

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

This Civil Revision Petition is filed against the fair and decretal order dated 18.07.2017 made in I.A.No.108 of 2017 in O.S.No.104 of 2003 on the file of the District Munsif Court, Gudiyatham, Vellore District.

2. When the Civil Revision Petition is taken up for hearing, the learned counsel appearing for the petitioners submitted that the suit itself was decreed exparte on 27.09.2019. He further submitted that the present Civil Revision Petition is filed challenging the order dated 18.07.2017 allowing I.A.No.108 of 2017, which was filed to amend the plaint. He further submitted that in view of the decree passed in O.S.No.104 of 2003, the present Civil Revision Petition has become infructuous and the Civil Revision Petition may be dismissed as infructuous. He also submitted that the petitioners have filed an application to set aside the exparte decree and if the suit is restored to file, they will renew their request.

3. Recording the above said submissions made by the learned counsel appearing for the petitioners, this Civil Revision Petition is dismissed as

infructuous. It is open to the petitioners to renew their request, if the exparte decree is set aside and the suit is restored to file. Consequently, the connected Miscellaneous Petition is closed. No costs.

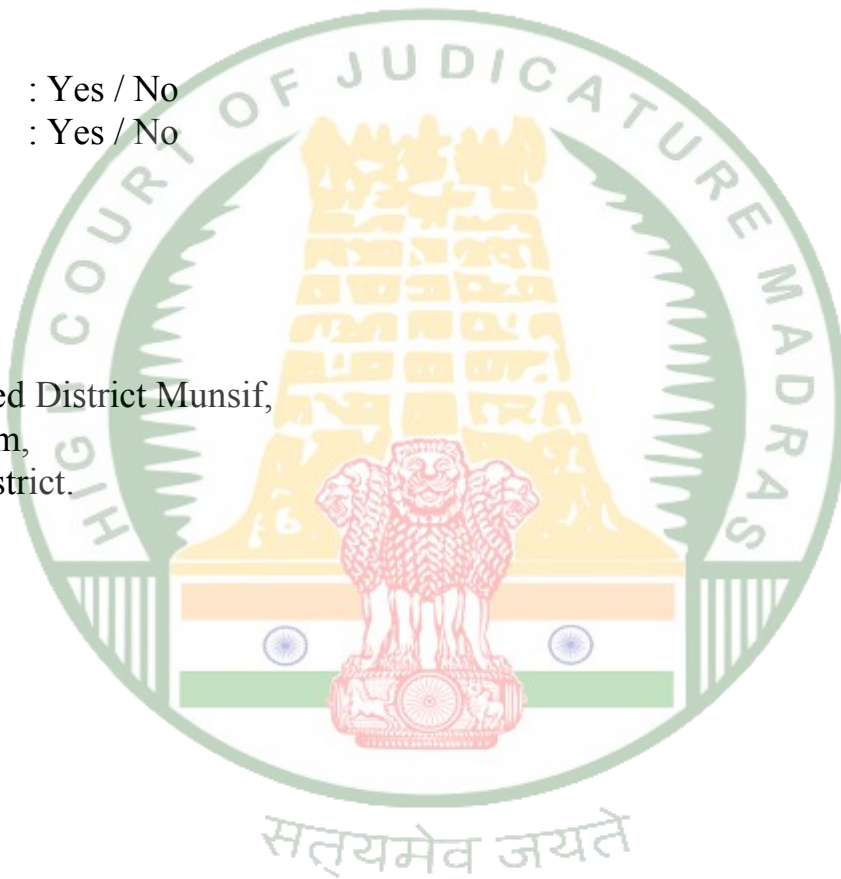
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Index : Yes / No
Internet : Yes / No

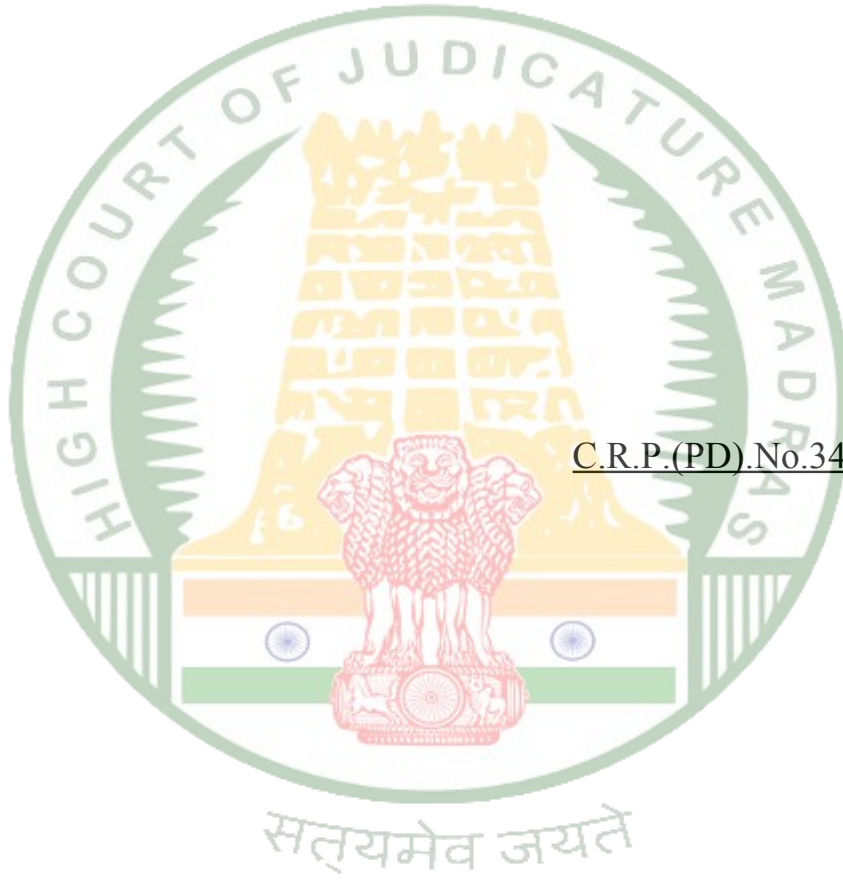
To

The Learned District Munsif,
Gudiyatham,
Vellore District.



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V.M.VELUMANI, J.
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