



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Monday, the Sixth day of December Two Thousand and Twenty One

PRESENT

The Hon`ble Ms.Justice P.T.ASHA

CMP(MD) . No.7809 of 2021

in

CRP(MD) .No.1362 of 2019

WEB COPY

1.Minor.B.Anitha,

2.Minor.B.Bhuvsneswari

(Minors the 1st & 2nd petitioners are rep. thro' their father and guardian V.P.Balasubramanian)

3.Minor.S.Sasikala

4.Minor.Swathi Lakhshmi

(Minors the 3rd & 4th petitioners are rep. thro' their father and guardian P.Sankar) ... Petitioners/Petitioners

Vs

Vairamani

... Respondent/Respondent

Prayer in CMP(MD) . No.7809 of 2021:-

Petition filed under Order 9, Rule 9 of CPC, To set aside the order of dismissal passed by this Honble Court in CRP(MD). No.1362/2019 dated 27-11-2019 and RESTORE the same and thus render justice.

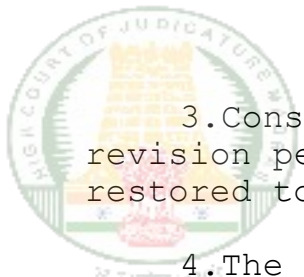
Prayer in CRP(MD).No.1362 of 2019:-

Civil Revision Petition is filed under Section 115 of Civil Procedure Code, to Direct the Honourable Additional District Munsif, Madurai Town to give necessary instructions to the Baliff to vacate and handover the Possession of the petition mentioned property to the petitioners as per order passed in EA.No.134/2019 in EP.No.48/2019 dated 15.06.2019 and thus render justice.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and none appeared for the petitioner this Court made the following order:

The civil revision petition was dismissed only on the ground of there being no representation on behalf of the petitioners on 27.11.2019.

2.This Court has taken note of the fact that the petitioners are minors and the eviction had attained finality and what remains is only delivery. The conduct of the tenant, as stated in the application, has also got to be taken note of.



3.Considering the above, this petition to restore the civil revision petition is ordered and the civil revision petition is also restored to file.

4.The learned counsel who has entered appearance for the petitioners is consistently not appearing before this Court and a final chance is given to him to appear before this Court on 05.01.2022, failing which the Court will be constrained to appoint an Advocate to represent the minors.

5.Post the main civil revision petition on 05.01.2022.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO
The Additional District Munsif,
Madurai Town

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATE : 06/12/2021

HEARING DATE : 05/01/2022

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ORDER
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CMP(MD) . No.7809 of 2021
in
CRP(MD).No.1362 of 2019

Giving direction and etc.
as stated within.

PS (CO)
SB(29.12.2021) 2P 3C

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