



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.01.2022**

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Review Application (MD)No.123 of 2019
and
C.M.P (MD)No.6269 of 2019

1.Guruvammal
2.Srinivasan
3.Pothiraj
4.Selvaraj
5.Chellathai
6.Rajendiran
7.Chandra
8.Suryakala
9.Aathilakshmi

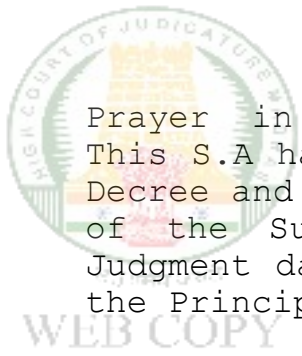
... Review Petitioners/
Respondents 2 to 10

Vs.

1.Kanagavel
2.Ramasubbu
3.Ramadass
4.Bommuthai
5.Petchiammal
6.Subbulakshmi
7.V.Vijayalakshmi
8.V.Ramamurthi
9.V.Subramanian
10.R.Vijaya
11.C.Saraswathi
12.V.Sivakumar
13.V.Subitha
14.J.Manjula
15.B.Bommuthai
16.R.Kanakammal
17.R.Jeyalkshmi
18.K.Amutha
19.R.Krishnaveni
20.M.Venkatasubramaniyan
21.M.Thinakaravel
22.M.Saravanan

... Respondents1 to 22/
Appellants 2, 5 to 25

PRAYER : Review Application filed under Order 47 1 r/w 114 of the Civil Procedure Code, to review the order, dated 22.02.2019 made in S.A.No.874 of 1998 on the file of this Court.



Prayer in S.A.No.874 of 1998:

This S.A has been filed U/s 100 of Civil Procedure Code against the Decree and Judgement dated 27/02/1998 in A.S.No.52/1993 on the file of the Subordinate Judge, Tuticorin confirming the decree and Judgment dated 16/02/1993 rendered in O.S.NO.17/1992 on the file of the Principal District Munsif of Tuticorin.

For Petitioners : No Appearance
For Respondents : Mrs.P.Jessi Jeeva Priya
for R1 to R4, R6, R8, R9, R10 to R16
and R17 to R22

ORDER

S.A.No.874 of 1998 was filed by the defendants in O.S.No.17 of 1992 on the file of the Principal District Munsif Court, Tuticorin. The learned Single Judge of this Court had allowed the second appeal and removed the suit back to the trial Court with a direction for appointment of a Commissioner to revisit the suit schedule properties along with a qualified surveyor.

2. The trial Court was further directed to dispose all the matter after receiving the Commissioner's report. The said order of the learned Single Judge has been challenged in review application No.123 of 2019. Pending review application, the learned Counsel for the review applicant had passed away and this Court had ordered notice to the parties. Only some of the review applicants have been served through Court and others could not be served on the ground they are not found in the address. In the mean time, the learned Counsel for the respondent in the review application submits that the order passed by this Court in S.A.No.874 of 1998 has been carried out the Advocate Commissioner has revisit the suit property and submit his report. The trial Court has also disposed of the suit on 18.06.2020 and hence, nothing survives in the review application. Regarding the same, the review application is closed. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

btr

Note :

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

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order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

1.The Subordinate Judge, Tuticorin.

2.The Principal district Munsif, Tuticoirn

Copy to

The Section Officer, V.R.Section(2C)
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.P.JESSI JEEVA PRIYA, Advocate (SR-1948
[F] dated 20/01/2022)

Review Application (MD)No.123 of 2019
19.01.2022

NSN(CO)
KB(08.02.2022) 3P 6C