



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2021

CORAM

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

C.R.P. (MD)No.1474 of 2014

and

M.P. (MD)No.1 of 2014

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1.S.Viswanathan (Died)

2.V.Vinoth Kumar

: Petitioners

Vs.

Sri Sumatheendra Swamy Mutt, Srirangam

Sriringam, represented by its Power Agent

L.Sureendra Kumar.

: Respondent

(2<sup>nd</sup> petitioner was brought on record as legal representative of the sole petitioner, vide order of this Court, dated 04.06.2018 made in C.M.P. (MD)No.8695 of 2017)

PRAYER:- Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the judgment and decree, dated 28.11.2013 made in O.S.No.84 of 2005 on the file of the I Additional District Court, Tiruchirapalli.

For Petitioners

For Respondent

:Mr.S.M.S.Johnny Basha

:Mr.R.Ramanlal

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**ORDER**

This revision is directed against the contested decree in O.S.No.84 of 2005, dated 28.11.2013.

2.This revision is clearly an abuse of process of Court. The Honourable Supreme Court in the case of **Virudhunagar Hindu Nadargal Dharma Paribalana Sabai and others vs Tuticorin Educational Society and others** reported in **(2019) 9 SCC 538**, has categorically held that when there is a remedy by way of appeal, this Court shall not exercise its jurisdiction under Article 227 of Constitution of India to set aside legally passed decrees of Civil Courts. Hence, this



revision is dismissed. It is open to the petitioners to file an appeal, if they are so advised. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cmr

To

1.The I Additional District Judge(PCR), Tiruchirapalli.

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

+1 CC to M/s.R.RAMANLAL, Advocate ( SR-8247[F] dated 02/03/2021 )

+1 CC to M/s.S.M.S.JOHNNEY BASHA, Advocate ( SR-8250[F] dated 02/03/2021 )

C.R.P.(MD)No.1474 of 2014  
01.03.2021

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MJ(CO)

KK(18.03.2021) 2P 6C