



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2021

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P(MD)No.2031 of 2017 and

C.M.P(MD) No.10146 of 2017

WEB COPY

1.M.Krishnan
2.M.Appathurai

... Petitioners

Vs.

Thavamani

... Respondent

PRAYER:- Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 07.08.2017 passed in I.A.No.434 of 2017 in O.S.No.22 of 2003 on the file of District Munsif Court, Palani.

For Petitioners : Mr.M.P.Senthil

For Respondent : Mr.V.M.Balamohan Thambi

ORDER

It is informed by the the learned counsel for the respondent that the suit itself has been disposed of and nothing survives for consideration in this Civil Revision Petition.

2.However, Mr.M.P.Senthil, learned counsel appearing on behalf of the petitioners would submit that the revision pertains to the review petition filed against the dismissal of their counter claim. Therefore, liberty may be granted to the revision petitioners to file a separate suit regarding their counter claim.

3.Mr.V.M.Balamohan Thambi, learned counsel for the respondent has no objection to the same subject to the condition that the respondent be given liberty to raise all defences available to her.

4.In the light of the above submissions, this Civil Revision petition is dismissed as infructuous. However, liberty is given to the petitioners to file a separate suit regarding counter claim and liberty is also given to the respondent to raise all defences, if any available to her. No costs. Consequently, connected miscellaneous petition is closed.

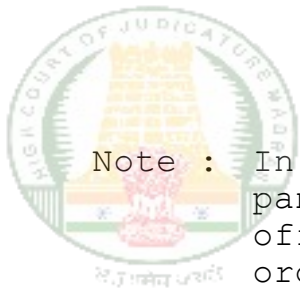
Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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

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To :-

The District Munsif Court,
Palani.

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-39080[F] dated 16/12/2021)

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and
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USK (04.01.2022) 2P 3C