



CRP.(PD)No.1427 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2022

CORAM:

Mr. JUSTICE N.SESHASAYEE

CRP.(NPD)No.1427 of 2022 and
C.M.P.No.7380 of 2022

K.Arunagirinathan

... Petitioner

Vs.

R.Dakshinamurthi

... Respondent

PRAYER: The Civil Revision Petition is filed under Section 115 of C.P.C to pass an order to call for the records and set aside the order dated 26.10.2021 passed in I.A.No.202 of 2019 in O.S.No.231 of 1998 by the District Munsif Court, Tiruvarur and allow this Civil Revision Petition.

For Petitioner : Mr.A.Kripakaran

ORDER

The revision petitioner herein is challenging a final decree passed in I.A.No.202 of 2019 in O.S.No.231 of 1998. The only objection of the learned counsel is that the Commissioner has visited the property during COVID times.



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2.It might be that the revision petitioner is aggrieved due to the visit of the Commissioner to the property concerned during COVID times. However, what is available today is a decree and not an order appointing a Commissioner. Since a final decree has been passed, the only remedial option open to the revision petitioner is to challenge it in first appeal. Therefore, the Revision is not maintainable and the revision petitioner will be at liberty to prefer an appeal against the final decree if he is so desirous.

3.Subject to the observation herein made, the Civil Revision Petition is disposed of. Consequently, the connected C.M.P.No.7380 of 2022 is closed.
No costs.

29.04.2022

Note:The Office is required to return
the original decree in challenge
in this proceedings to the petitioner.

kas/dk

To

The District Munsif Court,
Tiruvarur.



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N.SESHASAYEE, J.,

kas/dk

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