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C.R.P.No.4106 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2022

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.No.4106 of 2012

1. Bava G.Chokkappa (Died)
2. Bava C.Gopalsamy
(P2 brought on record as LR's of
the deceased P1 viz
Bava G.Chokkappa vide Court
order dated 20.04.2022 made in
C.M.P.No.6593 of 2022 in
C.R.P.(NPD)No.4106 of 2012) ... Petitioners

Vs

The Executive Officer,
Arulmigu Thiagarajaswamy Temple,
Tiruvarur. ... Respondent

Prayer:- Civil Revision Petition is filed under Section 115 of CPC, as against the Fair and Decretal order of the Learned District Munsif, Tiruvarur in E.P.No.57 of 1996 dated 21.07.2011 in O.S.No.61 of 1969 on the file of the District Munsif Tiruvarur.



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For Petitioners : Mr.K.R.Ramesh Kumar

For Sole Respondent : Mr.Srinath Sridevan

ORDER

This Civil Revision Petition has been filed as against the order passed in E.P.No.57 of 1996 in O.S.No.61 of 1969 dated 21.07.2011, on the file of the Learned District Munsif, Tiruvarur, thereby dismissed the execution petition, in view of the order passed in E.A.No.166 of 2002.

2. Aggrieved by the above order passed in E.A.No.166 of 2002, already the deceased petitioner had filed an appeal suit in A.S.No.40 of 2011 on the file of the Sub Court, Thiruvarur and it is pending. Therefore, the order under challenge in this petition is only a consequential order.

3. If the petitioner succeeds in the appeal suit filed in A.S.No.40 of 2011, the execution petition in E.P.No.57 of 1996 will be automatically restored.



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4. In view of the above, this Civil Revision Petition is disposed of.

No costs.

22.12.2022

mn

Index: Yes/No

Internet: Yes/No

Speaking Order: Yes/No

To

The District Munsif, Tiruvarur.



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G.K.ILANTHIRAIYAN.J,

mn

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