



C.R.P(NPD)No.3412 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 28.01.2022

Coram

The Honourable Mr.Justice J.SATHYA NARAYANA PRASAD

**C.R.P(NPD)No.3412 of 2015
and M.P.No.1 of 2015**

K.Basheer

...Petitioner

Versus

1.Mariya John
2.Abdul Sardar
Rahmathunnisa (Died)
3.Banu Saffiya

...Respondents

This Civil Revision Petition is filed under Section 115 of Code of Civil Procedure praying to set aside the order dated 05.03.2015 made in I.A.No.253 of 2013 in O.S.No.417 of 1995 on the file of the I Additional Sub Court, Erode.

For Petitioner : Mr.M.Guruprasad

For Respondent – 1 : M/s.K.Ponmani
for Ms.Zeenath Begum

Respondent – 2 : No Appearance

Respondent – 3 : Died



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ORDER

Today, when the matter was taken up for hearing, the learned counsel for the petitioner submitted that he has no instructions from the petitioner and also, he has filed a Memo dated 20.01.2022 to that effect.

2. The aforesaid Memo reads as follows:

“1. It is stated that the petitioner herein had preferred this Civil Revision Petition before this Hon'ble Court as against the order dated 05.03.2015 in I.A.No.253 of 2013 in O.S.No.417 of 1995 on the file of the I Additional Sub Court, Erode.

2. It is stated that when the matter was listed for final hearing on 14.12.2021, adjournment was sought to get instruction from the petitioner regarding the present status and in this regard an intimation letter dated 08.01.2022 was also sent to the petitioner and the Referring counsel informing them about the listing of the referred Civil Revision Petition for final hearing. The Letter sent to the petitioner was returned with the endorsement as “Left without Instruction” and the letter addressed to the referring Counsel was served and it was reported over phone that he could not locate the petitioner.



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3. *It is humbly submitted that the intimation letter dated 08.01.2022, the returned postal cover and acknowledgement card is annexed herewith for the Hon'ble Court's consideration. Hence, this Honourable Court may be pleased to record as "No Instructions".*

3. The Memo dated 20.01.2022 filed by the petitioner's counsel is recorded.

4. In view of the Memo dated 20.01.2022 filed by the learned counsel for the petitioner, this Civil Revision Petition is dismissed for non-prosecution. No costs. Consequently, connected Miscellaneous Petition is closed.

28.01.2022

mrr

Index : Yes/No

To

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I Additional Sub Court,
Erode.

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J.SATHYA NARAYANA PRASAD, J.

mrr

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