



C.R.P(PD)No.4353 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 07.01.2022

Coram

The Honourable Mr.Justice J.SATHYA NARAYANA PRASAD

C.R.P(PD)No.4353 of 2015

1. Hasmukh.M.Thakker

2. Sangeetha H.Thakker

...Petitioners

Vs

1. Norathmull Jain,
Proprietor of M/s Sunil Electricals.

2. The Corporation of Hennaing,
Represented by the Commissioner,
Rippon Building,
Periamet, Chennai.

...Respondents

This Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the order and decreetal order in I.A.No.6294 of 2015 in O.S.No.4805 of 2014 on the file of the XV Assistant Judge, City Civil Court, Chennai dated 28.08.2015.

For Petitioner : Mr.A.C.Chandrasekar

For Respondent - 1 : Mr.M.Aravind Kumar

For Respondent – 2 : Notice not served



C.R.P(PD)No.4353 of 2015

ORDER

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This Civil Revision Petition has been filed to set aside the order and decretal order dated 28.08.2015 in I.A.No.6294 of 2015 in O.S.No.4805 of 2014 on the file of the XV Assistant Judge, City Civil Court, Chennai.

2. Today, when the matter was taken up for hearing, the learned counsel for the petitioners sought permission of this Court to withdraw the Civil Revision Petition. He has also filed a Memo to that effect.

The relevant portion of the said Memo is extracted hereunder:

“During the pendency of the above C.R.P. the 1st petitioner herein died on 13.09.2018 and consequently the 2nd petitioner herein filed a Memo before the Trial Court regarding the above fact and further mentioning that the 1st defendant died leaving behind his wife namely the 2nd petitioner herein and two children namely Kuldeep and Mrs.Juhiaka H.Rajani, aged 25 and 27 years respectively and they are brought on record in the above suit and the amended plaint was also filed in the above suit by the plaintiffs and the 2nd petitioner herein and here heirs had also



filed Additional written statement in the above suit. Thus Trial had commenced since there is no stay in the above C.R.P. in the above manner. The legal heirs of the 1st petitioner in the above C.R.P. are not brought on record for the above said reasons.”

3. The above Memo dated 23.12.2021 filed by the petitioner's counsel is recorded by this Court.

4. In view of the aforesaid Memo filed by the learned counsel for the petitioner, this Civil Revision Petition is dismissed as withdrawn.

No costs. Consequently, connected C.M.P.No.1 of 2015 is closed.

07.01.2022

Index : Yes/No
Speaking Order/Non-Speaking Order
(vm)



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J.SATHYA NARAYANA PRASAD, J.

vm

To:

1. The XV Assistant Judge,
City Civil Court,
Chennai.
2. The Commissioner,
Corporation of Chennai,
Rippon Building,
Periamet, Chennai.

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C.R.P(PD)No.4353 of 2015

To

**Mr.K.Pitchandi,
Hon'ble Deputy Speaker,
Tamil Nadu Legislative Assembly,
Chennai – 600 009.**

From

**The Hon'ble Mr.Justice J.Sathya Narayana Prasad,
Judge,
Madras High Court,
Chennai – 600 104.**