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CRP.PD.No.3978 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRP.PD.No.3978 of 2016
and CMP.No.20156 of 2016

1.Thangaraj

2.Chitra

3.Minor Preshmika

4.Minor Gowkul

5.Minor Jeevaarasi

petitioners 3 to 5 rep. by their
natural guardian, mother Chitra

(Petitioners 2 to 5 brought on record as legal heirs
of the deceased first petitioner viz., Thangaraj vide
court order dated 21.01.2022 in CMP.No.20429
of 2021 in CRP.No.3978 of 2016)

... Petitioners

Vs.

Periyasamy

... Respondent

PRAYER: Civil Revision petition is filed under Article 227 of the Constitution of India praying to set aside the fair order dated 29.09.2016 made in IA.No.257 of 2008 in IA.No.1018 of 2007 in OS.No.637 of 2007 on the file of the learned Principal District Munsif Court at Namakkal.

For Petitioners : Mr.G.Santhana
for Mr.T.L.Thirumalaisamy

For Respondent : Mr.B.Gopalakrishnan



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ORDER

This civil revision petition has been filed as against the fair order dated 29.09.2016 made in IA.No.257 of 2008 in IA.No.1018 of 2007 in OS.No.637 of 2007 on the file of the learned Principal District Munsif Court at Namakkal.

2. Heard, Mr.G.Santhana, the learned counsel for the petitioners and Mr.B.Gopalakrishnan, the learned counsel for the respondent.

3. The learned counsel for the petitioners would submit that the main suit itself was dismissed for default. Thereafter a petition was filed to restore the suit with condone delay petition. The condone delay petition was also dismissed. However, the learned counsel for the petitioners would submit that the civil revision petition may be closed at present with liberty to revive the civil revision petition if the suit is restored.

4. Recording the above submission, this civil revision petition is closed with liberty to the petitioners to revive the civil revision petition if the



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suit is restored. Consequently, connected miscellaneous petition is also closed.

There shall be no order as to costs.

05.12.2022

Index : Yes/No

Internet : Yes/No

Speaking order/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To
The learned Principal District Munsif Court at Namakkal

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