



C.R.P(NPD) No.1894 of 2022 and

C.M.P.No.9662 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM

THE HONOURABLE MS. JUSTICE **R.N.MANJULA**

C.R.P(NPD).No.1894 of 2022 and

C.M.P.No.9662 of 2022

Gopal

... Petitioner

Vs.

Kasturi

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order and decree made in I.A.No.1 of 2022 in I.A.No.1 of 2020 in O.S.No.111 of 2012, on the file of the District Munsif, Gudiyattam, Vellore District dated 19.04.2022.

For Petitioner : Mr.K.A.Ravindran

ORDER

This revision petition has been filed to set aside the order and decree made in I.A.No.1 of 2022 in I.A.No.1 of 2020 in O.S.No.111 of 2012, on the file of the District Munsif, Gudiyattam, Vellore District dated 19.04.2022.

2. Heard the learned counsel for the petitioner.

3. The petitioner is the first defendant in the suit. The respondent /



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plaintiff has filed a suit for partition. After preliminary decree was passed, a final decree petition also filed in I.A.No.1 of 2020. During the final decree proceedings, this revision petitioner was set exparte. Subsequently, he filed a petition in I.A.No.1 of 2022 to set aside the exparte order and that was dismissed on 19.04.2022. Aggrieved over the same, this civil revision petition has been filed.

4. Now it is reliably learnt that the final decree itself has been passed and in view of the same, this civil revision petition becomes infructuous . The only remedy now available to the revision petitioner is to challenge the final decree in accordance with law.

5. Accordingly, this civil revision petition stands dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

22.06.2022

Index : Yes/No

Speaking or Non-speaking order

gsk



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To

The District Munsif,

Gudiyattam, Vellore District.

R.N.MANJULA, J.



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