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C.R.P (NPD) No.1848 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2022

CORAM :

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

C.R.P.(NPD).No.1848 of 2017
and C.M.P.No.8866 of 2017

K.Kandasamy

... Petitioner

..Vs..

1.K.Kaliappan
S/o V.Karuppanna Gounder

Marathal (Died)

2.S.Ramachandran
3.S.Natarajan
4.Rajapandian
5.R.Mani
6.Prabakaran
7.Karumuthu Chettiar
8.Kaliyathal

... Respondents

Prayer:- Civil Revision Petition is filed under Section 115 of Civil Procedure Code, against the fair and decretal order dated 05.01.2017 made in I.A.No.188 of 2015 in A.S.CFR.No.1766 of 2015 on the file of



C.R.P (NPD) No.1848 of 2017

the Principal District Court, Coimbatore.

For Petitioner : Mr.S.Mukunth

For Respondents : Mr.M.Sriram for R1

ORDER

This Civil Revision Petition has been filed against the fair and decreetal order dated 05.01.2017 made in I.A.No.188 of 2015 in A.S.CFR.No.1766 of 2015 on the file of the Principal District Court, Coimbatore.

2.The learned counsel for the 1st respondent/plaintiff would submit that preliminary decree in O.S.No.159 of 1988 has been passed on 26.09.1994. Thereafter, A.S.CFR No.1766 of 2015 in I.A.No.188 of 2015 has been filed with a delay of 693 days, which has been dismissed by the Court below on 05.01.2017. Against which, the present Civil Revision Petition has been filed.

3.Based on the preliminary decree, the 1st respondent/plaintiff filed E.P.No.130 of 2013 and delivery was recorded on 10.09.2014. Therefore, he prayed to dismiss the present petition as infructuous.



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4.Taking note of the above submissions and in view of the fact that possession has been taken by the 1st respondent/plaintiff, this Civil Revision Petition stands dismissed as infructuous. No costs. Consequently connected miscellaneous petition is closed.

28.06.2022

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Index:Yes/No

Internet:Yes/No

Speaking Order:Yes/No

To

1.The Principal District Judge, Coimbatore.

2.The Section Officer,
VR Section, Madras High Court,
Chennai.

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J.NISHA BANU, J.,

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