



C.R.P(NPD)No.535 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.R.P(NPD).No.535 of 2017

and

CMP.No.2766 of 2017

Rajiv Pillai

..Petitioner

Vs.

Paramasivam

..Respondent

Prayer: Civil Revision Petition filed under Section 115 of C.P.C., against the order and decreetal order passed in I.A.No.1163 of 2015 in O.S.No.80 of 2012 dated 15.12.2015 on the file of the Principal District Munsiff Court, Ulundurpettai.

For Petitioner : Mr.Azarat Ali

for Mr.N.Naganathan

ORDER

The revision petition cannot stand on its legs any further primarily because the respondent /plaintiff in O.S.No.80 of 2012, which was pending on the file of the Principal District Munsif Court, Ulundurpettai had



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unfortunately expired and this is evident from the endorsement by the Court Baillif in the Court notice issued on the said respondent. The 1st defendant in O.S.No.80 of 2012 is in Revision. He is aggrieved by the order dated 15.12.2015 in I.A.No.1163 of 2015, which application had been filed seeking to condone the delay of 315 days in filing application under Order 9 Rule 13 of C.P.C., to set aside exparte decree. The said application had been examined by the learned Principal District Munsif, Ulundurpettai and it was finally dismissed.

2.Now the plaintiff / respondent has died. Nothing survives in this present revision petition to adjudicate further and hence it is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

3.If the legal representatives of the plaintiff are brought on record then, the revision petitioner may work out his remedies by taking appropriate steps.

23.02.2022

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Index:Yes/No

Internet:Yes/No

Speaking/Non-speaking order

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To-

The Principal District Munsif Court,
Ulundurpettai.



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C.V.KARTHIKEYAN, J.

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