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C.R.P.(NPD) No.4017 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

C.R.P. (NPD) No.4017 of 2019
and C.M.P. No.26388 of 2019

1. Nambikkaidass
2. Fathimadass

.. Petitioners

Vs.

P.Vinoth

.. Respondent

Civil Revision Petition is filed under Section 227 of Consitution of India, to set aside the fair and decreetal order in I.A. No.2 of 2019 in O.S. No.3793 of 2018 dated 04.10.2019, on the file of learned XVI Assistant City Civil Court, Chennai.

For Petitioners	: Mr. A.Manojkumar
For Respondent	: Mr. Rajasekar

ORDER

This Civil Revision Petition is directed against the order in I.A. No.2 of 2019 in O.S. No.3793 of 2018 on the file of XVI Assistant City Civil Court, Chennai.



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2. The revision petitioners are the defendants in the suit who has filed the above Civil Revision Petition aggrieved by the order dismissing the application filed by him under Order 37 Rule 5 C.P.C., to leave to defend.

3. Learned counsel for the respondent submitted that pursuant to the dismissal of the application filed by the revision petitioners, the suit itself was decreed and that the prayer in the Civil Revision Petition has become infructuous.

4. Recording the submission of the learned counsel appearing for the respondent, the Civil Revision Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed. However, liberty is given to the revision petitioners to raise the grounds which he has raised in this Civil Revision Petition in the appeal that may be filed as against the judgment and decree in the suit itself.

11.01.2022

Speaking order / Non-speaking order

Index: Yes / No

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To

The XVI Assistant City Civil Court, Chennai.



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S.S.SUNDAR, J.,

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