



CRP(MD)No.2451 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

CRP(MD)No.2451 of 2013
and
MP(MD)No.1 of 2013

Thangaraj : Petitioner

Vs.

Aanandasundaraj : Respondent

PRAYER: Civil Revision Petition filed under Section 115 of the Civil Procedure Code to call for the records pertaining to the order dated 01.10.2013 passed by the learned Principal District Munsif, Sankarankovil, in E.A.No.144 of 2013 in O.S.No.272 of 2005 and set aside the same.

For Petitioner : Mr.A.R.Sethupathy

For Respondent : Mr.F.X.Eugene



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ORDER

The petitioner suffered a decree in the suit in O.S.No.272 of 2005 and the same was confirmed upto the stage of Second Appeal in S.A(MD)No.783 of 2010. When the respondent pressed for executing the decree in E.P.No.3 of 2011, the petitioner moved a petition in E.A.No.144 of 2013 under Order 21 Rule 26 CPC stating that he has filed a review application in Rev.Aplc(MD)No.23 of 2011 to review the order passed in the second appeal in SA(MD)No.783 of 2010. The Executing Court, by order dated 01.10.2013, dismissed this application and challenging the same, the petitioner has moved this revision petition.

2.When the matter came up for hearing today, learned Counsel for the respondent submitted that the review application in Rev.Aplc(MD)No.23 of 2011, based on which the execution application was filed by the petitioner, was dismissed for default on 29.08.2011 and the same has not been restored. He has also filed a memo to that effect.

3.The said submission made by the respondent's Counsel was not disputed by the learned Counsel for the petitioner.



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4. Recording the submission made by the respondent's Counsel, this revision petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes
gk

01.08.2022

To

The Principal District Munsif,
Sankarankovil.



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B.PUGALENDHI, J.

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