



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2022

CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

C.R.P(PD) (MD) .No. 1310 of 2021
and CMP(MD)No.7567 of 2021

Arulmigu Sri Iranki Muthamman Kovil Trust
Thoppalakkarai Village,
Through its Treasurer
K.Solaiappan

... Petitioner/Petitioner/Plaintiff

Vs

1.K.Dharmalingam Naicker

2. V. Ponraj Naicker

3. M. Raj Naicker

4. M. Govindaraj Naicker

5. Sarkkarai Naicker

... Respondents/Respondents/Defendants

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the fair and decreetal order dated 08.02.2021 passed in I.A.No. 2 of 2020 in O.S.No. 113 of 2018 on the file of Principal District Munsif Court, Aruppukkottai by allowing this Civil Revision Petition.

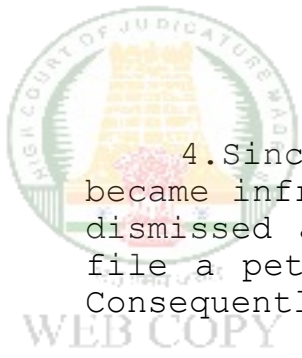
For Petitioner : Mr.G.Mariappan
For Respondents : Mr.D.Sivaraman

ORDER

To set aside the fair and decreetal order dated 08.02.2021 passed in I.A.No. 2 of 2020 in O.S.No. 113 of 2018 on the file of Principal District Munsif Court, Aruppukkottai, the revision petitioner has filed this Civil Revision Petition.

2.Heard the learned counsel appearing for both sides and perused the materials available on record.

3.The revision petitioner has filed a petition in I.A.No.2 of 2020 to withdraw the suit with liberty to file a fresh suit with same cause of action. The respondents/defendants have also filed a petition in I.A.No.1 of 2019 under Order VII Rule 11 to reject the plaint, which was allowed on 11.04.2022.



4.Since the suit was rejected, this Civil Revision Petition became infructuous. Therefore, this Civil Revision Petition stands dismissed as infructuous. However, the petitioner is at liberty to file a petition against the order in I.A.No.1 of 2019. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

To

1.The Principal District Munsif, Aruppukkottai

2.The Record Keeper,
Vernacular Section, Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-22282[F] dated 28/04/2022)

+1 CC to M/s.G.MARIAPPAN, Advocate (SR-22895[F] dated 29/04/2022)

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MGJ(23.05.2022) 2P 6C