



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

C.R.P (PD) (MD) NO.569 OF 2017

and

C.M.P (MD) No.2586 of 2017

M.H.Sheik Manshur Allagi :Petitioner/Petitioner/Plaintiff

.VS.

1.S.Shahul Hameed

2.Mehar Banu

3.Benasir

4.Hameem Palli Madharasha Wahab,
represented by Turn Akdhar
Hameempuram North Street,
Melapalayam,
Tirunelveli - 627 006. :Respondent6/Respondents/
Defendants 1 to 4

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India praying this Court to set aside the fair and decretal order made in I.A.No.110 of 2016 in O.S.No.16 of 2014, dated 22.12.2016, on the file of the Additional Sub-Court, Tirunelveli.

For Petitioner : Mr.D.Nallathambi

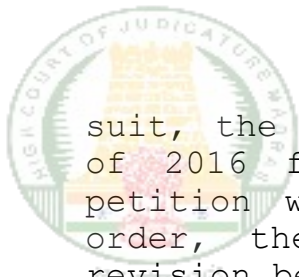
For Respondents : Mr.T.Selvan
1 to 3

O R D E R

This Civil Revision Petition is filed seeking to set aside the fair and decretal order made in I.A.No.110 of 2016 in O.S.No.16 of 2014, dated 22.12.2016, on the file of the Additional Sub Court, Tirunelveli.

2.The Petitioner is the plaintiff in O.S.No.16 of 2014, on the file of Additional Sub-Court,Tirunelveli for eviction and possession and for costs. During the pendency of the

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suit, the Petitioner herein has filed an application in I.A.No.110 of 2016 for appointment of an Advocate Commissioner. The said petition was dismissed by the trial Court. Challenging the said order, the Petitioner herein/Plaintiff has filed the present revision before this Court.

WEB COPY

3. When the matter is taken up for hearing today, the learned counsel for the Petitioner would submit that the suit in O.S.No.16 of 2014 was dismissed for default. Now the Petitioner has filed an application to restore the suit. However, as on date, no suit is pending and thus, the prayer sought for by the revision petitioner in this revision, has become infructuous.

4. In view of the same, the Civil Revision Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsn

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Additional Sub-Judge,
Additional Sub-Court, Tirunelveli.

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

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-1845[F] dated 20/01/2022)

ORDER MADE IN
C.R.P (PD) (MD) NO.569 OF 2017
and
C.M.P (MD) No.2586 of 2017
19.01.2022

SMV (CO)

TR(14.02.2022) 2P 5C

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