



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2022

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P (MD) No.617 of 2017

and

C.M.P (MD) No.2772 of 2017

WEB COPY

Mangaiyarkarasi

.. Petitioner /2nd Defendant

Vs.

1.S.Anandha Krishnan

.. 1st Respondent /Plaintiff

S.Ragavan Servai (died)

2.R.Karthik

3.R.Angaiyarkanni

4.R.Punitha

5.Jeeva

[Revision against R2 and R5 is
dismissed vide order dated
08.11.2019]

.. Respondents

2 to 5 / Defendants 1, 3 to 6

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order dated 16.02.2017 made in I.A.No.506 of 2016 in O.S.No.79 of 2011 by the Principal District Munsif Court, Manamadurai.

For Petitioner

: Mr.G.Mohankumar

For Respondent No.1

: Mr.A.Sivaji

For Respondents

: No appearance

3 and 4

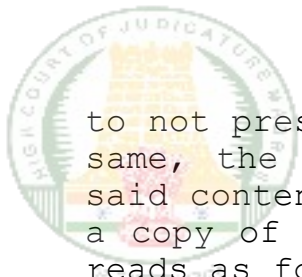
for respondent 2 & 5

: disd vide court order
dated 08/11/2019

ORDER

This Civil Revision Petition is filed by the petitioner / second defendant against the order passed by the Court below in allowing the amendment petition.

2.When the matter is taken up for hearing, the learned counsel for the petitioner / second defendant submits that I.A.No.1 of 2022 was filed before the Court below, seeking to advance the hearing of the suit and the said application was allowed and thereafter, the learned counsel for the 1st respondent / plaintiff filed a memo before the Court below stating that the plaintiff wants



to not press the suit and the same is also allowed and recording the same, the suit was dismissed as not pressed. To substantiate the said contention, the learned counsel for the petitioner has produced a copy of daily status of the suit, dated 05.03.2022, and the same reads as follows:

"IA 1/22 - Perused the reason is satisfied. Petition is allowed. Suit is advanced today. OS - Plaintiff filed Advance hearing petition and allowed. Plaintiff counsel Mr.T.Muthuramalingam filed Not press memo and submitted that the matter is settled out of court and wants the plaintiff to not press the suit. The same is allowed and suit is not pressed and dismissed as not pressed. The court fee to be refunded as per rules in force. No costs".

3.The learned counsel for the first respondent / plaintiff would submit that he has sent a letter to the first respondent, but he has not received any response.

4.In view of the above facts, this Court is of the view that nothing survives for further adjudication in the revision and accordingly, this civil revision petition is dismissed. Consequently, connected miscellaneous petition is dismissed. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

smn

To

1.The Principal District Munsif,
Manamadurai.

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

+1 CC to M/s.A.SIVAJI, Advocate (SR-11068[F] dated 10/03/2022)

C.R.P (MD) No.617 of 2017
09.03.2022

KG (CO)

KB (17.03.2022) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>