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C.R.P.No.2891 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.No.2891 of 2018

and

C.M.P.No.16948 of 2018

1. Arikrishna Cavoundar
2. Allapitchai
3. Mariammal
4. Porkalaiselvi
5. Kalaiselvi

.... Petitioners

Vs

R.M.S.Vasanth

.... Respondent

Prayer :- Civil Revision Petition is filed under Section 115 of Code of Civil Procedure to set aside the docket order dated 10.08.2018 made in E.P.No.17 of 2014 in O.S.No.22 of 2008 on the file of the III Additional District Judge at Puducherry.

For Petitioner : Mr.T.Dhanasekaran
For Respondent : Mr.Sai Srujan Tayi
for M/s.Giridhar and Sai

ORDER

This Civil Revision Petition has been filed to set aside the docket order dated 10.08.2018 made in E.P.No.17 of 2014 in O.S.No.22 of 2008 on the file of the III Additional District Judge at Puducherry,



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thereby allowing I.A.No.177 of 2017 and dismissed the E.A.Nos.16, 17 and 18 of 2017.

2. In pursuant to allowing the I.A.No.177 of 2017, the ex-parte order passed as against the Judgment Debtor was set aside. Consequently, E.A.Nos.16, 17 & 18 of 2017 became infructuous. Therefore, the Court below rightly ordered for fresh sale.

3. Though the first petitioner died, the other petitioners, being the legal heirs of the deceased first petitioner, are already on record.

4. In view of the above, this Court finds no infirmity or illegality in the docket order dated 10.08.2018 made in E.P.No.17 of 2014 in O.S.No.22 of 2008 on the file of the III Additional District Judge at Puducherry. Accordingly, this Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

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Index: Yes/No
Internet: Yes/No
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The III Additional District Judge,
Puducherry.



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G.K.ILANTHIRAIYAN, J.

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