



C.R.P.No.2910 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2023

CORAM:
THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No.2910 of 2022
and
C.M.P.No.15814 of 2022

1. Muniammal @ Lakshmi
2. Kalai Selvam @ Selvam
3. Sait @ Nandakumar @ Babu
4. Kalaiselvi @ Ammu ... Petitioners

-Vs-

Baby Sarojini (deceased)

1. B.S.Ramesh
2. S.Suresh ... Respondents

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the dismissal order passed in E.A.No.3 of 2022 in E.P.No.271 of 2020 in RCOP No.1820 of 2012 dated 17.06.2022 passed by the learned XIII Small Causes Court, Chennai.



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For Petitioners : Mr.Shanavas for
Mr.N.A.Kareem
For Respondents : Mr.P.Saravana Sowmiyan for
R1 and R2

ORDER

Challenging the impugned dismissal order passed in E.A.No.3 of 2022 in E.P.No.271 of 2020 in RCOP.No.1820 of 2012 passed by the learned XIII Small Causes Judge, Chennai, the Revision Petitioners preferred this Civil Revision Petition.

2. Before the executing court, the Revision Petitioners have filed an Execution Application in E.A.No.3 of 2022 under Sec.47 of C.P.C. stating that some of the issues are not determined by the trial court, but on perusal of records, the defence raised by them was already decided in the R.C.O.P. proceedings. Against that order, an appeal was also filed and the same was dismissed and challenging the said findings, there is no Civil Revision Petition filed by them. However, now challenging the impugned order passed by the Executing Court, the tenants preferred this Civil Revision



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Petition. But, the Decree Holders have already taken steps to get delivery of possession. So, I do not find any merit in this Revision Petition.

Accordingly, this Civil Revision Petition is dismissed as no merit. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

16.11.2023

Index : Yes/No
Speaking Order : Yes/No
rpp

To

The XIII Judge,
Small Causes Court,
Chennai.



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T.V.THAMILSELVI, J.

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