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C.R.P.No.2915 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2023

CORAM

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

C.R.P.No.2915 of 2019
and C.M.P.No.18893 of 2019

Anusuya

Represented by its Power Agent

Manikandan

.. Petitioner

Vs.

1. D.Selvaraj

2. Sivanantham

.. Respondents

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 18.07.2019 passed by the District Munsif Court, Thiruthuraipoondi in I.A.No.300 of 2019 in O.S.No.72 of 2013.

For Petitioner : Mr.S.Arivazhagan

For R1 : Notice served

No appearance

For R2 : Mr.P.Dinesh Kumar



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ORDER

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This Civil Revision Petition has been filed as against the order dated 18.07.2019 passed in I.A.No.300 of 2019 in O.S.No.72 of 2013, by the District Munsif Court, Thiruthuraipoondi, thereby dismissing the application filed by the petitioner to reopen the case.

2. The petitioner filed a suit for specific performance as against the respondents. After closing their evidence, when the matter was posted for defendants' arguments, the petitioners filed a petition to reopen the case and also filed a petition to amend the plaint. Both the petitions were dismissed.

3. Aggrieved by the same, the petitioners preferred C.R.P.No.3092 of 2019 before this Court, as against the dismissal order of the amendment petition and the same was allowed with cost of Rs.5000/- by an order dated 13.11.2019.

4. Therefore, in view of the order passed in C.R.P.No.3092 of 2019 dated 13.11.2019, the impugned order cannot be sustained as against the petitioner and it is liable to be set aside.



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5. Accordingly, the order dated 18.07.2019 passed in I.A.No.300 of 2019 in O.S.No.72 of 2013, by the District Munsif Court, Thiruthuraipoondi, is hereby set aside.

6. In view of the above, this Civil Revision Petition is allowed. Consequently, connected Miscellaneous petition is closed. No costs.

10.02.2023

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

mn

To

The District Munsif Court, Thiruthuraipoondi.



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G.K.ILANTHIRAIYAN,J.

mn

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