



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Tuesday, the Thirty First day of October Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.B. BALAJI

CMP(MD). No.1576 of 2021
in
C.R.P(MD)No.1771 of 2014

Nesamony

... Petitioner/Petitioner

Vs

- 1 Ponnayyan Nadar,
Sankaran Nadar(Died),
Sundaram Nadar(Died)
- 2 Kochukuttan (Died)
- 3 Podipillai,
- 4 Paul Thangam,
- 5 Saraswathi,
- 6 Sivaraj,
- 7 Thanga Nadar,
- 8 Selvaraj,
- 9 Vijayal,
10. Ganesan
- 11 Chellathurai,
- 12 Valsalam,
- 13 Robinson,
- 14 Alexander,
- 15 Stella Mary,
- 16 Sujatha Mary,
- 17 Lalitha,
- 18 Suresh Kumar,
- 19 Sri Sayila,
- 20 Sri Sheela,
- 21 Thiresa,



22 Anitha
23 Alwin,
24 Ingil,
25 Rethinam,
26 Gokulraj,
27 Deepa,
28 Geetha,
29 Thangabai,
30 Jenith Kumar,
31 Gajendran,
32 Pushpa Bai,
33 Poomathy,
34 Rajam,
35 Kala,
36 Sundari,
37 Rajesh Bose,
38 Preetha Rathi

... Respondents 1 to 28

... Respondents 29 to 35

..Respondents in 36-38/proposed
Respondent 36-38 (Lrs-R10)
pending in CMP.11655/2017

Prayer :-

This Petition filed Under order 39 Rule 1 & 2 and Section 151 of C.P.C to grant an order or interim injunction restraining the respondents 6, 8 and 10 to 16 from putting up construction in the petition mentioned property, which is the subject matter of the suit in O.S.No.32 of 1980 on the file of 1st Additional District Munsif Court, Kuzhithurai pending disposal of the above Civil Revision Petition and thus render justice.



Prayer in C.R.P(MD)No.1771 of 2014:-

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This Civil Revision Petition has been filed, under Section 227 of the Constitution of India, to set aside the fair and decreetal order dated 05.07.2014, passed in IA.No.368 of 2014 in O.S.No.32 of 1980, by the I Additional District Munsif, Kuzhithurai.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. P. Thiagarajan, Advocate for the R3 to R14, R16 to R24 and R29 to R35 respondents, and no appearance for the petitioner either in person or by an Advocate, this Court made the following order:

“There in no representation for the petitioner.

2. The learned counsel appearing for the respondents would submit that nothing survives for adjudication in the application and the same has become infructuous since the Civil Revision Petition has already been disposed of on 17.04.2021. Copy of the said order has also produced,. The Civil Revision Petition has been allowed and the connected M.P.(MD)No.1 of 2014 and C.M.P.(MD)No.5501 of 2020 have also been closed.



3. Recording the same this application in C.M.P(MD)No.1576 of 2021 is closed."

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Sd/-

Assistant Registrar(CS-I)

// True Copy //

/11/2023

Sub Assistant Registrar(CS)

TO

The I Additional District Munsif,
Kuzhithurai.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 31/10/2023

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ORDER

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CMP(MD). No.1576 of 2021

in

C.R.P(MD)No.1771 of 2014

SI (09.11.2023) 4P/ 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.