



C.R.P(MD)No.409 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.409 of 2023

and

C.M.P(MD)No.2011 of 2023

1.G.Sridhar

2.Shanthi

3.Selvi

4.Meenal

... Petitioners/Petitioners/
Proposed Parties

Vs.

1.Rajendra Prasad

... 1st Respondent/Landlord

2.Rajesh

... 2nd Respondent/Tenant

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records pertaining to the fair and decreetal order passed by the learned Additional District Munsif, Madurai Town dated 09.11.2022 in E.A.No.295 of 2021 in E.P.No. 69/2020 in R.C.O.P.No.86 of 2015 and set aside the same.

For Petitioner : Mr.B.Muthumari



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ORDER

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The present revision petition has been filed by a third party to execution proceedings in R.C.O.P.No.86 of 2015.

2. The third party had filed E.A.No.295 of 2021 under Order 21 Rule 97 of Code of Civil Procedure. The said application was dismissed by an order, dated 09.11.2022. Challenging the same, the present revision petition has been filed.

3. In view of Order 21 Rule 103, any order passed under Order 21 Rule 98 is a deemed decree and only an appeal lies. Therefore, the present revision petition is not maintainable. Hence, this Civil Revision Petition is dismissed with liberty to the revision petitioner to represent C.M.A.SR.No.3854 of 2022 before the Principal Sub Court, Madurai. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

21.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Additional District Munsif,
Madurai Town.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

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Order made in
C.R.P(MD)No.409 of 2023

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