



C.R.P(MD)No.1934 of 2014

WEB CO BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2023

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

C.R.P(MD)No.1934 of 2014

and

M.P(MD)No.1 of 2014

1.Shahubar Sadiq
2.Ayubh Khan
3.Sahul Hameed
4.Seeni Bhurhanian
5.Mujibhu
6.Jahangir Ali
7.Mumtaz Begam
8.Ameena Begum
9.Nazzir Hussain

... Revision Petitioners

Vs.

Sekar

... Respondent

PRAYER : Civil Revision Petition is filed under Article 115 of Civil Procedure Code, to allow the Civil Revision Petition and set aside the fair and decreetal order dated 26.09.2013 made in I.A.No.665 of 2012 in O.S.No.31 of 2012 on the file of the Sub-Court, Ramanathapuram.

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For Petitioners : Mr.George Raja
for M/s.Ajmal Associates

For Respondent : Mr.S.Ramesh

ORDER

Heard the learned Counsels for both the petitioner and the respondent. The learned Counsel for the petitioner submitted that the present Civil Revision Petition was preferred as against the fair and decreetal order passed by the learned Subordinate Judge, Ramanathapuram in I.A.No.665 of 2012 in O.S.No.31 of 2012, which was filed under Order 23, Rule 1 of the Civil Procedure Code to withdraw the suit with liberty to file a fresh suit for declaration. Against this particular order, this revision petition is preferred by the defendant of that suit in O.S.No.31 of 2012. During the pendency of this petition, a fresh suit was filed by the respondent / plaintiff in O.S.No.34 of 2014 again on the file of the Sub Court, Ramanathapuram and that was also dismissed on 03.02.2016. So nothing survives between both the parties. Hence, this Civil Revision Petition stands dismissed as infructuous.

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There shall be no order as to costs. Consequently, connected
Miscellaneous Petition stands closed.

24.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Btr

To

- 1.The Sub-Court,
Ramanathapuram.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Btr

Order made in
C.R.P(MD)No.1934 of 2014

24.02.2023