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C.R.P.(PD)(MD).No.130 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE P.VADAMALAI

C.R.P.(PD)(MD).No.130 of 2019

and

C.M.P(MD)No.598 of 2019

1.Peter @ Alagu Peter
2.Shirly Cracencia
3.Selvam
4.Benitto Paulraj
5.Sebasthiammal
6.Selvi

... Petitioners

Vs.

1.Baskaran
2.John Issac
3.Jamila Ruby Mehal

... Respondents

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, to set-aside the fair and decreetal order dated 19.12.2018 made in I.A.No.21 of 2018 in I.A.No.67 of 2016 in O.S.No.58 of 2017 on the file of the Additional District Court, Theni.

For Petitioners	: Mr.V.George Raja for M/s.Ajmal Associates
For R1 - R2	: Mr.M.Natarajan
For R3	: Mr.K.Appadurai



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ORDER

Today (11.04.2023), when the matter is taken up for hearing it is represented by the learned counsel for the revision petitioners that the main suit in O.S.No.58 of 2017 on the file of the Additional District Court, Theni has been "dismissed for default" on 04.09.2019 and hence, the prayer sought for in this petition has become infructuous. He had also made an endorsement to that effect.

2.The learned counsel for the petitioners seek liberty to file a petition to restore the Civil Revision Petition before this Court in the event of the suit in O.S.No.58 of 2017 being restored before the Court below.

3.In view of the same, the Civil Revision Petition stands dismissed as infructuous. No costs. However, liberty is granted to the petitioners to file a petition to restore the Civil Revision Petition before this Court in the event, if the suit in O.S.No.58 of 2017 being restored before the lower Court. Consequently, connected Civil Miscellaneous Petition is closed.

11.04.2023

NCC : Yes/No
Index : Yes/No
vsd



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To

- 1.The Additional District Court,
Theni.
- 2.The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

vsd

Order made in
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