



C.R.P.PD (MD)No.640 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.04.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VADAMALAI

C.R.P.PD (MD).No.640 of 2019

and

C.M.P.(MD).Nos.3264 & 3265 of 2019

1.Karuppasamy

2.Pooleswari

... Petitioners

Vs.

M/s NCML EXIM (p) Ltd.,
No.1818, NARA Bazar,
Delhi,
Through its Managing Director

... Respondent

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decretal order passed on C.M.A.No.2 of 2015 on the file of the Sub-Ordinate Court, Kovilpatti dated 18.01.2019 reversing the fair and decretal order passed in I.A.No. 938 of 2014 in O.S.No.189 of 2014 dated 08.12.2014 on the file of the District Munsif Court, Kovilpatti.



C.R.P.PD (MD)No.640 of 2019

For Petitioners :Mr.N.Vignesh

For Respondent :Mr.P.R.Prithiviraj

ORDER

Today (12.04.2023), when the matter is taken up for hearing it is represented by the learned counsel for the petitioner that the suit in O.S.No.189 of 2014 on the file of the District Munsif Court, Kovilpatti has been dismissed for default on 04.11.2022 and thereby nothing survives for further adjudication in this revision petition.

2. The learned counsel for the petitioner seeks liberty to file a petition to restore the Civil Revision Petition before this Court in the event of the suit in O.S.No.189 of 2014 being restored before the Court below.

3. In view of the fact that the suit in O.S.No.189 of 2014 has been dismissed for default, nothing survives for adjudication in this revision petition and thereby this Civil Revision Petition stands dismissed. No



C.R.P.PD (MD)No.640 of 2019

costs. However, liberty is granted to the petitioner to file a petition to restore the Civil Revision Petition before this Court in the event, if the suit in O.S.No.189 of 2014 being restored before the lower Court. Consequently, connected Civil Miscellaneous Petitions are closed.

12.04.2023

NCC :Yes / No
Index :Yes / No
Internet :Yes / No
Speaking Order/Non-Speaking Order

sbm



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C.R.P.PD (MD)No.640 of 2019

P.VADAMALAI ,J.

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C.R.P.PD (MD).No.640 of 2019
and
C.M.P.(MD).Nos.3264 & 3265 of 2019

12.04.2023