



C.R.P(MD)No.154 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

C.R.P(MD) No.154 of 2018

and

C.M.P(MD) No.703 of 2018

Lenin David Raj

...Petitioner

Vs.

Anthonimuthu Nadar (died)

1.Kannimariyal

2.A.Mariyammal

3.A.Rajammal

4.A.Thomson

Rose Mary (died)

5.A.Thankaraj @ A.Xavier

6.A.Victoriyal



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V.Nagamony Nadar (died)

Palayyan (died)

Cellayyan Nadar (died)

Kochappi (died)

7.Arumanayagom

8.Thankappan

9.Ponnappan

10.Saral

11.Lekshmi

12.Gnanamuthu

13.D.Thankaraj

Ponnumuthu (died)

Muthuan (died)

Snehappu (died)

Ponnu (died)

Chinnan Nadar (died)

14.Harichandran Nadar

15.Cellayyan



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16.Yacob

17.Saral

Banu (died)

Ayyappan Pillai (died)

18.Sankara Narayana Pillai

19.Paramartha Lingam

M.Anthony Nadar (died)

20.M.Varuvel

21.Sivasankara Pillai

22.Ayyappan Pillai

Ponnayyan (died)

23.Harris

24.Thankappan

25.Paulraj

26.Moni

27.Thankaraj

28.Palayyan

29.Thanka Nadar



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30.Moni

31.Kamalam

32.Sathiyadhas

33.Russelraj @ Thomas

34.Selvaraj

35.Meenakshi

36.Rajan

37.Gopalan

38.Ammal

39.Rajamony

40.Thankamoni

41.Kamalan

42.Vijayan

43.Sundar

44.Chellammal

45.Sukumaran

46.Rajaji

47.Rajamony



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48.Lucose

49.Subbu Lekshmi

50.A.Narayana Pillai

51.Ambi Ammal

52.Nesayyan

53.Sasi

54.Rajaretnam

55.R.Ratheesh

56.R.Sindhu

57.R.Ramji

58.Mariya Dhas

59.Pankiraj

...Respondents

(Respondents 7 to 59 are formal party. Hence they are given up – notice may be dispensed with.)

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to allow the Civil Revision Petition and to set



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aside the fair order and decretal order dated 19.12.2017 passed in Unnumbered E.A.No.--- of 2017 in E.P.No.6 of 2009 in O.S.No.232 of 1972 (C.F.Nos.8141 of 2017 and 8653 of 2017) on the file of the Principal District Munsif Court, Kuzhithurai.

For Petitioner : Mr.H.Thayumanaswamy

For Respondents : No Appearance – for RR1, 2 & 6,

Given up – RR7 to 59

Tapal returned – for RR3, 4 & 5

ORDER

This Civil Revision Petition is filed against the order dated 19.12.2017 passed in Unnumbered E.A.No.--- of 2017 in E.P.No.6 of 2009 in O.S.No.232 of 1972 (C.F.Nos.8141 of 2017 and 8653 of 2017) on the file of the Principal District Munsif Court, Kuzhithurai.



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2. This Court called for the report from the concerned Principal District Judge, by order dated 19.10.2023 with regard to the status of the Execution Proceedings in the trial Court. Accordingly, the concerned Principal District Judge, has sent a report wherein, it is stated that the Execution Petition in E.P.No.6 of 2009 in O.S.No.232 of 1972 on the file of the Principal District Munsif, Kuzhithurai, is dismissed as settled out of Court, by its order, dated 14.06.2018.

3. In view of the above, as already the Execution Petition itself is dismissed as settled out of Court, in the considered opinion of this Court, nothing survives for further adjudication in this Civil Revision Petition.

4. Accordingly, this Civil Revision Petition is dismissed as infructuous.



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5. No costs.

6. Consequently, connected Civil Miscellaneous Petition
is closed.

31.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
RM

To

The Principal District Munsif,
Principal District Munsif Court,
Kuzhithurai.



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BATTU DEVANAND, J.

RM

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