



CRP(PD)(MD)No.1347 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.02.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRP(PD)(MD)No.1347 of 2014
and CMP(MD).No.2 of 2014

1.K.Parthasarathy

2.Alwarsamy

3.K.Sennivasan

4.Manavalammal (Died)

... Petitioners

Vs

1.S.Kandasamy

2.Athimoola Kannan

3.Athilakshmi

4.Pushpavalli

5.Alagirisamy Gounder

6.Karthika

7.Indira

8.Divakar

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9.Minor.Prabhakar

(Minor 9th respondent rep. through his mother and guardian of the 7th respondent.)
... Respondents

(Cause title accepted vide order dated 20.06.2014 made in M.P(MD).No. 1of 2014 in C.R.P(MD).No. SR 26411/14 by TMJ)

Prayer: Petition filed under Article 227 of the Constitution of India, to set aside fair and decreetal order passed in I.A.No.506 of 2012 in O.S.No.94 of 2010 on the file of the District Munsif Court, Sivakasi dated 28.11.2013.

For Petitioner : Mr.Mohamed Haniff for
Mr.M.P.Senthil
For Respondent : Mr.Chathurthiraja for
Mr.R.Govindaraj

ORDER

When the matter is taken up for hearing, it is reported by Mr.Mohamed Haniff, learned counsel representing for the petitioner's counsel Mr.M.P.Senthil that pending this Civil Revision Petition, the Suit in O.S.No. 94 of 2010 on the file of the District Munsif Court, Sivakasi, was dismissed for default on 07.09.2016 and therefore nothing survives in this Civil Revision Petition.

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2. However, Mr.Mohamed Haniff, learned representing counsel vehemently requested the Court that liberty should be given to restore this petitioner, if the suit is restored by the trial Court. Accepting his request, this Civil Revision Petition is dismissed as infructuous by giving liberty to the petitioner to restore the present Civil Revision Petition, if the suit is restored by the trial Court. No costs. Consequently, the connected Miscellaneous Petition is closed.

24.02.2023

Index : Yes / No.
Internet : Yes / No.
tta

To

District Munsif Court, Devakottai



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L.VICTORIA GOWRI,J

tta

Order made in
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24.02.2023