



C.R.P.(MD) No.1363 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE P.B. BALAJI

C.R.P.(MD) No.1363 of 2018

and

C.M.P(MD) Nos.5904 and 6682 of 2018

1.S.Vedhanayagam Ammal

2.R.Rajapandian

... Petitioners

Vs.

1.L.Michael

2.Jesunesan

3.Ananthan

4.Manivel

5.Arokiasamy

... Respondents

Prayer :- Petition filed under Article 227 of the Constitution of India, to set aside the impugned order dated 26.06.2018 passed in I.A.No.639 of 2018 in O.S.No.56 of 2015 by the learned District Munsif, Devakottai and to allow this Civil Revision Petition.



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For Petitioners : Mr.N.S.Karthikeyan
For R1 : Mr.V.R.Shanmuganathan
For R2 to R5 : Mr.M.Muthugeethayan

ORDER

The defendants 2 and 7 aggrieved by the order dated 26.06.2018 passed in I.A.No.639 of 2018 in O.S.No.56 of 2015 on the file of District Munsif, Devkottai, preferred the present civil revision petition.

2. The learned counsel for the first respondent/plaintiff fairly states that pending the suit, he has taken out an application seeking the relief of recovery of possession and therefore, he is not aggrieved by if the order in I.A.No.639 of 2018 is set aside. Considering the fact that the first respondent/plaintiff himself admits that he is not in possession of the property and that he has also amended the plaint seeking the relief of recovery of possession, the order in I.A.No.639 of 2017 is set aside.



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3. In fine, the fair and decreetal order dated 26.06.2018 passed in I.A.No.639 of 2018 in O.S.No.56 of 2015 stands set aside. No costs. Consequently, connected miscellaneous petitions are closed.

09.11.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
cp

To

The District Munsif,
Devakottai.



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P.B. BALAJI, J.

cp

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