



C.R.P(MD)No.1609 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.1609 of 2018

and

C.M.P(MD) No.7057 of 2018

K.Ganesan

...Petitioner

Vs.

1.Poovazhagi

2.Chithra

3.Subadhra

4.Indra

5.Chandra

6.Govindra

7.Muthra

8.Kijira

...Respondents



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PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 23.01.2018 passed in E.P.No.13 of 2015 in O.S.No.81 of 2012 on the file of the Principal District Munsif Court, Eraniel and allow this Civil Revision Petition thereby directing the Advocate Commissioner to cut and remove the branches of B schedule four trees up to the southern side of the southern compound wall of the plaintiff in A schedule property.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : No Appearance – for RR1 & 6

Tapal Returned – for RR2 to 5, 7 & 8

ORDER

This Civil Revision Petition is filed against the order dated 23.01.2018 passed in E.P.No.13 of 2015 in O.S.No.81 of 2012 on the file of the Principal District Munsif Court, Eraniel.



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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.13 of 2015 in O.S.No.81 of 2012 on the file of the Principal District Munsif Court, Eraniel, is dismissed as not pressed, by its order, dated 22.02.2019.

3. In view of the above, as already the Execution Petition itself is dismissed as not pressed, 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.

5. No costs.



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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,
Eraniel,



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BATTU DEVANAND, J.

RM

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