



CRP(NPD)(MD)No.364 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(NPD)(MD)No.364 of 2017
and CMP(MD)No.1782 of 2017

1. The General Manager,
M/s.JMC Projects (India) Ltd.
2. The Assistant General Manager,
M/s.JMC Projects (India) Ltd.
3. The Accounts Officer,
M/s.JMC Projects (India) Ltd.
Petitioners 1 to 3 having their
office at National Highways Projects,
Trichy-Madurai Sector, NH-45-B,
Soriyampatti, Muthalwarpatti Post,
Manapparai Taluk,
Tiruchirapalli District.

... Petitioners

versus

1. R.Sathiyaseelan
2. Sai Balaji Constructions (SBC),
Rep. by P.Bhusanarao
Site Office, 2/3, Easwari Nagar,
Viralimalai, Illupur Taluk,
Pudukottai District.

... Respondents



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Civil Revision Petition filed under Section 115 of C.P.C. against the fair and decreetal order dated 18.07.2008 made in I.A.No.3 of 2007 in O.S.No.11 of 2007 on the file of the learned I Additional Subordinate Judge, Tiruchirappalli.

For Petitioners : Mr.S.Ramesh

For R1 : Mr.S.Deenadhayalan

ORDER

This Civil Revision Petition is filed as against the order dated 18.07.2008 passed in I.A.No.3 of 2007 in O.S.No.11 of 2007 by the learned I Additional Subordinate Judge, Tiruchirappalli.

2. When the Civil Revision Petition is taken up for hearing, the learned counsel appearing for the first respondent submits that the main suit in O.S.No.11 of 2007 itself has been decreed *ex parte* on 22.10.2018 and therefore, nothing survives for adjudication in the Civil Revision Petition.



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3. The learned counsel for the petitioners submits that the petitioners filed an application to set aside the *ex parte* decree dated 22.10.2018, however, the same is yet to be numbered. Therefore, he requests this Court to adjourn the matter after four weeks.

4. This Civil Revision Petition is pending before this Court from the year 2017 onwards. In view of the submissions made, this Civil Revision Petition is closed and liberty is given to the petitioners to revive the Civil Revision Petition in the event of the suit in O.S.No.11 of 2007 being restored to file. No costs. Consequently, connected miscellaneous petition is closed.

19.01.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



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B.PUGALENDHI, J.

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To

1. The learned I Additional Subordinate Judge,
Tiruchirappalli.
2. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

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