



C.R.P.(PD)(MD).No.939 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE P.VADAMALAI

C.R.P.(PD)(MD).No.939 of 2017

and

C.M.P(MD)No.4129 of 2017

Sundaram Kanmai Ayakattuthars
representative by its Ayakattuthars

1.Sundararajan

2.Dhas

... Petitioners

Vs.

1.Pesali

2.Palanichamy

3.Subbaiah

4.Arumugam

5.The Assistant Executive Engineer,
Public Works Department,
Irrigation Journal,
Karaiiyur.

6.The Executive Engineer,
Water Source,
Public Works Department,
Pudukkottai District.

7.The District Collector,
Collector Office,
Pudukkottai District.

... Respondents



C.R.P.(PD)(MD).No.939 of 2017

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, to allow this Civil Revision Petition, thereby, to set-aside the fair order and decretal order dated 07.02.2017 made in I.A.No.370 of 2015 in O.S.No.59 of 2015 on the file of the District Munsif cum Judicial Magistrate, Thirumayam.

For Petitioners	: Mr.T.Antony Arul Raj
For R4	: Mr.P.Thiagarajan
For R5 - R7	: Mrs.K.Christy Theboral Additional Government Pleader

ORDER

Today (21.04.2023), when the case is taken up for hearing the learned counsel for the respondents filed a memo stating that the suit in O.S.No.59 of 2015 on the file of the learned District Munsif cum Judicial Magistrate, Thirumayam was "dismissed for default" on 15.06.2022 and requested to close this Civil Revision Petition. The said memo is recorded.

2.The learned counsel for the petitioners is also conceded to the same and seek liberty to file a petition to restore the Civil Revision Petition before this Court in the event of the suit in O.S.No.59 of 2015 being restored before the Court below.



C.R.P.(PD)(MD).No.939 of 2017

3. In view of the same, this Civil Revision Petition is closed.

No costs. However, liberty is granted to the petitioners to file a petition to restore the Civil Revision Petition before this Court in the event, if the suit in O.S.No.59 of 2015 being restored before the lower Court. Consequently, connected Civil Miscellaneous Petition is closed.

21.04.2023

NCC : Yes/No
Index : Yes/No
vsd

To

- 1.The District Munsif cum Judicial Magistrate,
Thirumayam.
- 2.The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.R.P.(PD)(MD).No.939 of 2017

P.VADAMALAI, J.

vsd

Order made in
C.R.P.(PD)(MD).No.939 of 2017
and
C.M.P(MD)No.4129 of 2017

21.04.2023