



C.R.P.No.2040 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2024

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.2040 of 2024

and

C.M.P.No.10906 of 2024

Mohan

... Petitioner

Vs.

1.Muruganandham

2.Nanjammal

3.Kumar @ Saravanakumar

4.Sivakumar

5.Udhayakumar

... Respondents

PRAYER: Civil Revision Petition has been filed under Article 227 of Constitution of India, 1950, praying to set aside the fair and decreetal order dated 06.10.2023 made in R.E.A.No.3 of 2023 in R.E.P.No.24 of 2002 in O.S.No.268 of 1995 on the file of District Munsif Court, Palacode, Dharmapuri District and to allow the Civil Revision Petition.

For Petitioner : Mr.M.Sivakumar

For Respondents : Mr.R.Selvakumar



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ORDER

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This Civil Revision Petition has been filed seeking to set aside the fair and decreetal order dated 06.10.2023 made in R.E.A.No.3 of 2023 in R.E.P.No.24 of 2002 in O.S.No.268 of 1995 on the file of District Munsif Court, Palacode, Dharmapuri District.

2.The first respondent's mother Radha filed a suit in O.S.No.268 of 1995 against the respondents 2 to 5 seeking for the relief of declaration of title and recovery of possession, wherein an ex-parte decree was passed against the defendants. Thereafter, the first respondent filed an execution petition in R.E.P.No.24 of 2002 and the same was allowed on 06.04.2018. Aggrieved by the said order, the petitioner filed an application in R.E.A.No.3 of 2023 under Order 21 Rule 97 of C.P.C. seeking to implead him as an obstructor, which was dismissed by the Lower Court on 06.10.2023, against which, the present revision has been filed.



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3.The learned counsel appearing for the respondents produced E-Court adjudication dated 12.01.2024 and submitted that now delivery has been effected on 09.01.2024 and E.P. got terminated on 12.01.2024. Hence, nothing survives in this Civil Revision Petition.

4. In view of the above, this Civil Revision Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

28.06.2024

Index : Yes/No

Internet : Yes/No

rsi

To

The District Munsif,
Palacode, Dharmapuri District.



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M.NIRMAL KUMAR, J.

rsi

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