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CRP. No.582 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:11.06.2024

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THE HONOURABLE **MR.JUSTICE BATTU DEVANAND**

C.R.P. (NPD) No.582 of 2020

and C.M.P.No.2985 of 2020

M/s.Accel Forge India,
rep. by his proprietor Mr.V.Ramasamy,
No.13-B, New no.15-B,
Rajaram Film Directors Colony,
United India Colony Main Road,
Rangarajapuram,
Kodambakkam,
Chennai-600 024

... Petitioner / defendant

Vs.

1.Mrs.K.Radhalakshmi

2.The Secretary to Government,
Revenue Department,
Government of Tamilnadu,
Chennai-600 009

3.The Special Commissioner and
Commissioner for Urban Land Ceiling and Land Tax,
Ezhilagam, Chepauk,
Chennai-600 005.

.. respondents

(RR2 and 3 are Suomotu impleaded as party respondents vide court order dated 13.02.2020 made in CRP Nos.582 & 852 of 2020 and CMP Nos.2974 & 2985 of 2020 (VBDJ)

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 20.11.2019 passed in



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E.A.S.R.No.48357 of 2019 in E.P.No.20 of 2015 in O.S.No.237 of 2008 on the file of the X Assistant City Civil Judge at Chennai.

For Petitioner : Mr.A.Ramaswamy
For Respondents : Mr.N.C.Thirumalai Balaji for
Mr.P.Subba Reddy for R1
Mr.Amirta Poonkodi Dinakaran,
GA for RR2 & 3

ORDER

This Civil Revision Petition has been filed as against the order dated 20.11.2019 passed in E.A.S.R.No.48357 of 2019 in E.P.No.20 of 2015 in O.S.No.237 of 2008 on the file of the X Assistant City Civil Judge at Chennai, challenging the dismissal of Section 47 of CPC application under maintainability.

2.It appears that on 13.02.2020, this Court granted interim stay against the order of the Execution Court.

3.The learned counsel for the petitioner submits that pending Civil Revision Petition, the petitioner namely Mr.V.Ramasamy died on 30.03.2024 and he has also placed a copy of the Death Certificate dated 10.04.2024 issued by the Greater Chennai Municipal Corporation before this



Court. The learned counsel filed a memo to this effect alongwith the Death Certificate and requested to record the same in Court records and to pass appropriate orders.

4.The learned counsel for the respondents submits that in view of the death of the petitioner, this Civil Revision Petition may be closed placing the Death Certificate on record. If the legal heirs of the petitioner intend to contest the proceedings in Execution Court, they have to file an LR application before the Execution Court.

5.The memo filed on behalf of the petitioner is placed on record.

6.Considering the submissions made by the respective counsel and on perusal of the memo filed by the petitioner, in our considered view, as the sole petitioner died, nothing survives in this CRP for further adjudication.

7.Accordingly, this Civil Revision Petition is closed.

8.It is made clear that if the legal heirs of the petitioner intends to



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prosecute the proceedings in the Execution Court, they are at liberty to file an LR application and they may proceed further in accordance with law.

No costs.

Consequently, connected miscellaneous petition is closed.

11.06.2024

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Index : Yes / No

Internet : Yes / No

To

1.The Secretary to Government,
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Chennai-600 009

2.The Special Commissioner and
Commissioner for Urban Land Ceiling and Land Tax,
Ezhilagam, Chepauk,
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