



C.R.P. No. 1065 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

C.R.P. No. 1065 of 2019

Manimeghalai

... Petitioner

Vs.

- 1.Radha Ammal
- 2.Thayalan
- 3.Panchayat Union,
Sattanathapuram,
rep., by The Special Officer,
Development Officer, Sirkali.
- 4.The Sub Registrar,
Sirkali.
- 5.The Inspector General of Registration,
O/o. I.G., of Registration,
Chennai.
- 6.The Assistant Executive Engineer,
Public Works Department,
Cauvery Division, Sirkali.
- 7.The Commissioner,
Panchayat Union,
Sirkali.



C.R.P. No. 1065 of 2019

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8.The Tahsildar,
Sirkali.

9.The Revenue Divisional Officer,
Myladuthurai.

10.The Government of Tamil Nadu,
rep., by its Collector,
Nagapattinam.

... Respondents

Civil Revision Petition is filed under Section 115 of Civil Procedure Code, to set aside the fair and decreetal order dated 03.12.2018 made in I.A.No.695 of 2017 in O.S.No.246 of 2012 on the file of District Munsif Court at Sirkali.

For Petitioner : Mr. V.V. Sathya

For Respondents : Mrs. P. Srividhay, for R1
Mr. M. Muthusamy, for R3 to R10
Government Advocate

ORDER

This Civil Revision Petition has been filed against the order dated 03.12.2018 in I.A. No. 695 of 2017 in O.S. No. 246 of 2012 on the file of District Munsif Court at Sirkali.



C.R.P. No. 1065 of 2019

WEB COPY

2. During the course of hearing, the learned counsel for the first respondent submits that before filing of the suit itself, on 11.11.2012, the second respondent died. It is stated in the written statement filed by the first respondent in the suit proceedings but no steps are taken to bring the Legal heirs of the second respondent on record by the petitioner. Now, on 29.09.2020, the first respondent also died. The said fact is informed to the learned counsel for the petitioner. But till date, no steps have been taken place.

3. Learned counsel for the petitioner submits that the petitioner could not get the particulars of the Legal heirs of the first respondent to take steps.

4. Having heard the contentions of the respective counsel, admittedly, the second respondent died on 11.11.2012 much prior to the filing of the suit in O.S.No. 246 of 2012, in our considered opinion, the proceedings in O.S. No. 246 of 2012 shall stand abated.



C.R.P. No. 1065 of 2019

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6. There shall be no order as to costs.

05.07.2024

Index : Yes / No

Neutral Citation : Yes / No

AT

To

1.The District Munsif Court at Sirkali.

2.The The Special Officer,
Panchayat Union,
Sattanathapuram,
Development Officer, Sirkali.

3.The Sub Registrar,
Sirkali.

4.The Inspector General of Registration,
O/o. I.G., of Registration,
Chennai.

4/6



C.R.P. No. 1065 of 2019

5. The Assistant Executive Engineer,
Public Works Department, Cauvery Division, Sirkali.

6. The Commissioner,
Panchayat Union,
Sirkali.

7. The Tahsildar,
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8. The Revenue Divisional Officer,
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C.R.P. No. 1065 of 2019

BATTU DEVANAND, J.

AT

C.R.P. No. 1065 of 2019

05.07.2024