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Cont.P.No.2243 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2024

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

Review Application No. 213 of 2023

in

CRP (PD) No. 42 of 2018

K.G.Ravikumar

.. Petitioner

Vs.

1.Kavitha

2.Jayakantha

..Respondents

Prayer: Review Petition is filed under Order XLVII Rule 1 r/w Section 114 of CPC to allow the Review Petition by reviewing the Fair and Decretal order dated 13.03.2020 passed in CRP (PD) No. 42/2018 passed by this Court.

For Petitioner : Mrs.Chitra Sampath, Senior Counsel

For Respondent : Mr.C.Samivel - R1

ORDER

Seeking to review the order passed by this Court in CRP (PD) No. 42/2018 dated 13.03.2020, the present review application is filed.

2. Heard both sides and perused the documents available on record.



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3. A perusal of the order passed by this Court reveals that based on the statement made by the learned counsel for the revision petitioner/1st respondent, this Court modified the order passed by the trial Court only to the extent of Survey no. 184/23, and in respect of other survey numbers, the relief granted by the trial Court was dismissed. Now the present review application has been filed by the 1st respondent/revision petitioner disputing all the survey nos. 184/23, 184/24 & 184/25. All these issues to be decided by the trial Court at the time of trial.

4. With regard to other disputed survey numbers contented in the revision petition, the 1st respondent/revision petitioner is entitled to file additional written statement. It is open to the review petitioner to raise objections, if any in the said written statement to be filed by the 1st respondent/revision petitioner.

5. In light of the statement made by the parties concerned, the review application is allowed, and consequently, the earlier order dated 13.03.2020 passed in CRP (PD) No. 42/2018 is set aside.



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- i. The order passed by the trial Court in I.A.No. 423 of 2017 in O.S.No.102 of 2015 dated 19.09.2017 in the amendment application filed by the review petitioner stands confirmed.
- ii. Liberty is granted to the 1st respondent/revision petitioner to file additional written statement to raise objections, if any.
- iii. The trial Court shall complete the trial and dispose the suit within a period of three months from the date of receipt of a copy of this order.

12.04.2024

Internet : Yes

Index : Yes/No

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D.KRISHNAKUMAR. J

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