



C.R.P.No.3568 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

C.R.P.No.3568 of 2024
and C.M.P.No.19335 of 2024

1. K.J.Ramaniammal
2. K.J.Sridhar
3. A.Lalitha
4. K.J.Jagadeesh

... Petitioners

Vs

Sri Kasiviswнанtha Swamy Devasthanam,
Represented by its Hereditary Trustee,
Kanniammal (Decesased)

1. A.Vinayagam
2. A.Viswanathan
3. K.A.Natarajan
4. T.S.Visalakshi
5. Parvatha Vardhini
6. Saraswathi
7. V.Santhanalakshmi

... Respondents



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PRAYER : Civil Revision Petition filed under Section 115 of the Civil Procedure

Code, pleaded to set aside the order passed by the Xth Assistant City Civil Court, Chennai dated 15.03.2023 made in E.A.SR.No.75591 of 2022 in E.P.No.1138 of 2019 in O.S.No.1856 of 2000.

For Petitioners : Mr.D.Nandhagopal

For Respondents : M.A.Lakshmipathi

ORDER

This Civil Revision Petition has been filed against the order passed by the Xth Assistant City Civil Court, Chennai on 15.03.2023 in E.A.SR.No.75591 of 2022 made in E.P.No.1138 of 2019 in O.S.No.1856 of 2000.

2. Learned counsel for the petitioners submitted that the Executing Court has not taken the judgment in the proper manner to decide the ownership of the suit property. The Execution Court has failed to peruse the supporting documents filed by the petitioners under Section 47 of CPC.

3. Learned counsel for the respondents submitted that the execution petition in E.P.No.1138 of 2019 has been terminated as early as on 30.04.2024 and the



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possession has also been taken. He has also produced the certified copy of the order passed in the execution petition.

4. Recording the submissions made by the learned counsel appearing for both sides, this Court finds that nothing survives for further adjudication in this revision petition, since the execution petition has been terminated and the possession has also been taken by the Decree Holders.

5. Accordingly, this Civil Revision Petition stands closed. However, the petitioners are at liberty to proceed in accordance with law. Consequently, the connected Civil Miscellaneous Petition is also closed. No costs.

04.09.2024

Index : Yes / No

Neutral Citation : Yes / No

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To

The X Assistant City Civil Court, Chennai.



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A.D.JAGADISH CHANDIRA, J.

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