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C.R.P.No.3303 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.3303 of 2019 and
C.M.P.No.21435 of 2019

K.Nagarajan

... Petitioner

Vs.

M/S.Shriram City Union Finance Ltd.,
Rep. By its authorized representative
Mr.V.Pughazendi-Manager-Legal
No.4/289, 1st floor, Pycrofts road,
Triplicane, Chennai-600 005.

...Respondent

PRAYER: Civil Revision Petition filed under Section 115 of Civil Procedure Code, praying to set aside the conditional order dated 03.09.2019 passed in E.A.No.1 of 2019 in E.P.No.3089 of 2017 in ACP.No.(EF)CMS.054 of 2012 by the Hon'ble IX Assistant Judge, City Civil Court, Chennai.
(Amended vide court order dated 25.11.2019 made in CMP.No.24444/2019; 21435/2019 in CRP.No.3303/2019)

For Petitioner

: Mr.S.Mohan

For Respondent

:M/s.K.V.Anantha Krishnan

ORDER

The revision is filed challenging the order passed by the Executing Court allowing the application filed by the petitioner to set aside the exparte



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order passed in execution petition on condition of depositing a sum of Rs.1 lakh. Aggrieved by the imposition of condition by the Executing Court, the petitioner has come by way of revision.

2. When the revision is taken up for hearing, the learned counsel for the petitioner filed a memo stating that the main execution petition was closed by the Executing Court on 02.12.2023 and therefore, no further adjudication is required in this revision. The learned counsel further submits that in case execution petition is restored, liberty may be given to the petitioner to revive the civil revision petition.

3. The memo filed by the petitioner is recorded and civil revision petition is dismissed as infructuous with liberty to the petitioner to revive the same in case main execution petition is revived by the Executing Court. Consequently, connected miscellaneous petition is closed. No costs.

03.01.2024

Index : Yes / No

Internet : Yes / No

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To

The learned IX Assistant Judge, City Civil Court, Chennai.



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S.SOUNTHAR, J.

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