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C.R.P. No. 4308 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2024

CORAM

THE HONOURABLE MR. JUSTICE P.DHANABAL

C.R.P. No. 4308 of 2022

and

C.M.P. No. 8441 of 2024

M.S. Manivannan
S/o. M.Singaram

... Petitioner / Plaintiff / Decree Holder

Vs.

A. Asaithambi,
S/o. Arumugam

... Respondent / Defendant / Judgment Debtor

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 07.12.2022 made in E.P. S.R. No. 3468 of 2022 in O.S. No. 171 of 2020 on the file of the II Additional District Judge, Salem, consequently direct the executing court to dispose of the execution petition E.P. SR No. 3468 of 2022 in O.S. No. 171 of 2020 on the file of the II Additional Judge, Salem within a time frame that may be fixed by this Court.

For Petitioner : Mr. K.N.Nataraj

For Respondent : Mrs. R.T.Sundari



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ORDER

When the matter is taken up for hearing, the learned counsel for both sides are present and represent that the matter has been settled and joint settlement memo has been executed between the parties.

2. At this juncture, the learned counsel appearing for the petitioner represented that the Sub-Registrar, Sooramangalam declined to register the document on the ground that original document has not been produced. Therefore, this Court can implead the said Sub-Registrar as a party and direct him to register the document and to that effect, he has also filed C.M.P. No. 8441 of 2024 in that regard. But, this Court expressed its view that as the dispute is only with regard to the impugned order and the matter is settled between the parties, this Court cannot entertain that application to implead the said Sub-Registrar as a party and thereby, that application is returned. If at all the petitioner is aggrieved by any order passed by the Registrar concerned, he can challenge the same in the manner known to law.

3. Recording the submission of the learned counsel for both sides that the matter has been settled between the parties and settlement deed has also been executed, this Civil Revision Petition has become infructuous.



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4. In view of the same, this Civil Revision Petition is dismissed as infructuous. No costs. Consequently, the connected Miscellaneous Petition is closed.

15.07.2024

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No
pal

Note: Issue order copy on 16.07.2024.

To

II Additional District Judge, Salem



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P.DHANABAL, J.,

pal

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