



C.M.P(MD)No.1051 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.04.2024**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.M.P(MD)No.1051 of 2024

in

Rev.Aplc(MD)SR.No.82120 of 2023

M.K.Muthukumaran

... Petitioner/Petitioner

Vs.

S.Muthupandi

... Respondent/Respondent

PRAYER in C.M.P(MD)No.1051 of 2024: Civil Miscellaneous Petition is filed under Section 5 of the Limitation Act, to condone the delay of 225 days in filing the review petition.

PRAYER in Rev.Aplc(MD)SR.No.82120 of 2023: Review Application is filed under Order 47, Rule 1 and 2 r/w Section 114 of CPC., to review the order, dated 15.02.2023 in C.R.P(MD)No.370 of 2023 passed by this Court.



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For Petitioner : Mr.R.Pon Karthikeyan

For Respondent : Mr.C.Mayilvahana Rajendran

ORDER

The present review application has been filed seeking to review the order of this Court, dated 15.02.2023 made in C.R.P(MD)No.370 of 2023, wherein this Court has directed the Trial Court to dispose of E.P.No.86 of 2022 on or before 30.11.2023. Expressing some inconvenience over the outer limit fixed by this Court, the present review application has been filed.

2. It is brought to the notice of the Court by the learned Counsels appearing on either side, in the execution proceedings arising out of money decree, the Court auction sale has been confirmed and sale certificate has been issued and they have taken delivery and therefore, execution proceedings have already been terminated by the Execution Court. Therefore, nothing survives to be adjudicated in the present review application.



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3. In view of the above, this Court is not inclined to condone the delay of 225 days in C.M.P(MD)No.1051 of 2024. Accordingly, this Civil Miscellaneous Petition is dismissed. Consequently, the review application stands rejected at the SR stage itself. There shall be no order as to costs.

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NCC : Yes / No
Index : Yes / No
Internet : Yes
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R.VIJAYAKUMAR, J.

BTR

Order made in
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