



C.R.P. (MD) No. 902 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

C.R.P. (MD) No. 902 of 2024

and

C.M.P. (MD) No. 4972 of 2024

Sanmugasundaram

... Petitioner

Vs.

1.A.Mohammed Usuf

2.A.Settu Mubrak

3.Karuppusamy

... Respondents

PRAYER:- Petition filed under Article 227 of the Constitution of India, to call for the records pertaining to fair and decreetal order dated 06.12.2023 in I.A. No. 14 of 2023 in O.S. No. 88 of 2019 on the file of the District Munsif Court, Palani and set aside the same by allowing the present civil revision petition.

For Petitioner

: Mr. R.Paranjothi



C.R.P. (MD) No. 902 of 2024

ORDER

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This Civil Revision Petition invoking Article 227 of the Constitution of India, 1950, arises out of the order dated 06.12.2023 in I.A. No. 14 of 2023 in O.S. No. 88 of 2019 passed by the District Munsif Court, Palani (hereinafter referred to as the 'Trial Court' for short). The parties are hereinafter referred to as their description in the suit in O.S. No. 88 of 2019 before the Trial Court for the sake of clarity and convenience.

2. Heard Mr. R.Paranjothi, Learned Counsel for the Second Defendant and perused the materials placed on record, apart from the pleadings of the parties.

3. When the matter is taken up for hearing today, Learned Counsel for the Second Defendant seeks permission of the Court to withdraw the Civil Revision Petition reserving the right of the Second Defendant to canvass what is sought to be agitated in this Civil Revision Petition as a defence raised in the suit, uninfluenced or uninhibited by the impugned order. He has also made an endorsement to that effect in the court record.



C.R.P. (MD) No. 902 of 2024

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In the result, the Civil Revision Petition is dismissed as withdrawn with the aforesaid clarifications. Consequently, the connected Miscellaneous Petition is closed. No costs.

05.04.2024

Index : Yes/No

NCC : Yes/No

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Note: Issue order copy by 05.06.2024.

To

1. The District Munsif Court, Palani.



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C.R.P. (MD) No. 902 of 2024

P.D.AUDIKESAVALU,J.

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C.R.P. (MD) No. 902 of 2024

05.04.2024