



C.R.P.(MD)Nos.454 and 467 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 30.01.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)Nos.454 and 467 of 2019

and

C.M.P(MD)Nos.2319 and 2382 of 2019

1.M.Kalangiam

2.M.Thangapandian

3.M.Kalipandian

4.M.Seenivasan (M.Manivasagam)

5.M.Thangavelpandian : Petitioners/Petitioners/
Defendants 12, 15 to 18
(in both petitions)

Vs.

Mariappan (died)

Shanmugaiah (died)

1.Thamba

2.Muniyammal : Respondents 1 & 2/Respondents 1 to 4/
Plaintiffs 1 to 4

3.Rajamani



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Seeniappan (died)

4.Muthu Mari

5.Shanmugakani

6.Thenraj

7.Thangammal

8.Vetrivelraj

9.Paulraj

10.Muniasamy

11.Rajavel

M.Kasiammal (died)

12.R.Meena

13.T.Pandeeswari : Respondents 3 to 13/ Respondents 5 to 17/
Defendants 1 to 11, 13 & 14
(in both petitions)

Prayer in C.R.P(MD)No.454 of 2019 : This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order, dated 08.01.2019 made in I.A.No.944 of 2018 in O.S. No.136 of 2006 on the file of the Subordinate Court, Thoothukudi and reject the same.



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Prayer in C.R.P(MD)No.467 of 2019 : This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order, dated 15.02.2019 made in I.A.No.1 of 2019 in O.S.No.136 of 2006 on the file of the Subordinate Court, Thoothukudi, in so far as restricting the petitioners from cross examine the witness.

(in both petitions)

For Petitioners : Mr.S.C.Herold Singh

For Respondents : Mr.N.Dilip Kumar, for R1, R2 & R12

: Mr.A.John Vincent, for R3 to R5, R7, R8, R11.

: No Appearance, for R6.

COMMON ORDER

The Civil Revision Petition in C.R.P.(MD)No.454 of 2019, is directed against the order passed in I.A.No.944 of 2018 in O.S.No.136 of 2006, dated 08.01.2019 on the file of the Subordinate Court, Thoothukudi, dismissing the petition filed under Order VII Rule 1 C.P.C.

2. The Civil Revision Petition in C.R.P.(MD)No.467 of 2019, is directed against the order passed in I.A.No.1 of 2019 in O.S.No.136 of



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2006, dated 15.02.2019 on the file of the Subordinate Court, Thoothukudi, seeking orders for setting aside the ex-parte order dated 11.01.2019 in O.S.No.136 of 2006 against the defendants 12, 15 to 18.

3. When the matters are taken up for hearing today (i.e.,30.01.2024), the learned counsel on either side would submit that the suit in O.S.No.136 of 2006, after full trial, was dismissed vide judgment dated 01.04.2019 and as such nothing survives for further adjudication in these Civil Revision Petitions.

4. Recording the submissions made by the learned counsel on either side, these Civil Revision Petitions are dismissed as infructuous. Consequently, connected Miscellaneous Petitions are closed. No costs.

30.01.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
das



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K.MURALI SHANKAR,J.

das

To

- 1.The Subordinate Judge, Thoothukudi.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

C.R.P.(MD)Nos.454 and 467 of 2019
and
C.M.P(MD)Nos.2319 and 2382 of 2019

Dated : 30.01.2024