



C.R.P(MD).No.1696 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.12.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.R.P(MD)No.1696 of 2022

and

C.M.P(MD)No.7452 of 2022

Maharajan

... Petitioner / 3rd Party

Vs

1.Arumugakani

2.Petchiammal

3.Jeyakani

4.Suresh

5.Vellaiammal

6.Chendurkani

... Respondents 1 to 6 / Plaintiffs

7.Pappa

... Respondent No.7 / 1st defendant

Prayer : Civil Revision Petition is filed under Section 115 of C.P.C., to allow this Civil Revision Petition by setting aside the fair and decreetal order passed in E.A.No.4 of 2020 in E.P.No.14 of 2019 in O.S.No.157 of 2013 on the file of the District Munsif Court, Srivaikuntam dated 25.03.2022.



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For Petitioner : Mr.T.Selvan

ORDER

This Civil Revision Petition is filed to allow this Civil Revision Petition by setting aside the fair and decreetal order passed in E.A.No.4 of 2020 in E.P.No.14 of 2019 in O.S.No.157 of 2013 on the file of the District Munsif Court, Srivaikuntam dated 25.03.2022.

2. It is seen that against the order passed by the learned District Munsif, Srivaikuntam, only an appeal will lie, since it is an appealable order, no revision is entertainable.

3. In view of the above, now the revision is not maintainable. Ofcourse, liberty is granted to the revision petitioner to file proper appeal. At the time of filing the appeal, the time spent by the petitioner in prosecuting this matter may be deducted as per Section 14 of the Limitation Act, since a bonafide attempt has been made by the petitioner in prosecuting the matter.



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4. With this liberty, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition stands closed.

09.12.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

1.The District Munsif Court, Srivaikuntam.

2.The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN, J.

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ORDER
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