



C.R.P.(MD)No.1265 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.1265 of 2019

1. P.Ramesh

2. P.Parameswaran

... Petitioners

Vs.

1. R.Ilangao

2. R.Manoharan

3. M.Manimekalai

4. K.Chellapandi

5. P.Premkumar

6. R.Juliet Helan

7. Ponniah

8. P.Ebenazer Jay Santhosh

9. Velumani

10. T.Mariammal



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11. M.Amaravathy

... Respondents

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(R4, R5, R10 and R11 Given up)

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and executable order dated 14.09.2018 made in I.A.No.21 of 2015 in A.S.No.28 of 2014 on the file of Sub Judge, Theni.

For Petitioners : Mr.R.Suriyanarayanan

For R1 to R3 : Mr.M.Govindan

For R5 to R7 : Mr.D.Venkatesh

For R8 & R9 : No appearance

ORDER

The Civil Revision Petition is directed against the order passed in I.A.No.21 of 2015 in A.S.No.28 of 2014 dated 14.09.2018 on the file of the Subordinate Court, Theni, dismissing the application filed under Order 41 Rule 21 C.P.C.

2. When the matter is taken up for hearing today, the learned counsel appearing for the revision petitioners as well as the respondents 1 to 3 and 5 to 7 would submit that after the dismissal of the application for



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reception of additional evidence, appeal itself was dismissed and that the revision petitioners/appellants have preferred a second appeal and the same is pending in S.A.(MD)No.543 of 2020 before this Court and as such, nothing survives for further adjudication.

3. The learned counsel appearing for the revision petitioners would submit that they have raised a legal plea with regard to trying of the application for reception of additional evidence separately, but subsequently the appeal was dismissed.

4. Recording the same, this Civil Revision Petition is closed as infructuous. No costs.

05.01.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

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



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K.MURALI SHANKAR,J.

csn

Order made in
C.R.P.(MD)No.1265 of 2019

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