



C.M.P. (MD) No. 1060 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **05.04.2023**

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEAVALU

C.M.P. (MD) No. 1060 of 2018

in

C.R.P. (MD) No. SR2874 of 2018

1.Aashath Ali
2.Naina Mohammed
3.Beer Mohammed Nizaam ... Petitioners in both petitions

Vs.

Rasiya Begam ... Respondent in both petitions

PRAYER in C.M.P. (MD) No. 1060 of 2018: Petition filed under Section 5 of the Limitation Act, to condone the delay of 33 days in filing the above CRP and take up the above Civil Revision Petition in C.R.P.Sr.(MD)No.2874 of 2018 on record.

PRAYER in C.R.P. (MD) No. SR2874 of 2018: Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 07.09.2017 made in I.A. No. 71 of 2016 in O.S. No. 4 of 2009 on the file of the Court of Additional District Judge (Fast Track Court), Paramakudi.



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In both petitions:-

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For Petitioners : No appearance

For Respondent : No appearance

ORDER

When the matter was taken up on the earlier occasion on 13.03.2024, it has been seen that notice sent to the Respondent has been returned with an endorsement 'left India'. This Court, during earlier hearing on 25.03.2024, has recorded that the Counsel for the Petitioners has reported no instructions from the Petitioners and states that he is not appearing in this matter.

2. Today, though the names of the Petitioners have been printed in the cause list, there is no representation on behalf of the Petitioners. In such circumstances, there does not appear to be any useful purpose being served in keeping the Petitions pending indefinitely when the Petitioners are not interested in prosecuting the same.



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3. In fine, Civil Miscellaneous Petition is dismissed for non-prosecution and the Civil Revision Petition is also dismissed at the SR stage itself. It is made clear that the Petitioners are not precluded from applying for revival of the Civil Revision Petition, if necessary, in accordance with law. No costs.

05.04.2024

Index : Yes/No
Internet : Yes/No
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TO:

- 1.The Additional District Judge (Fast Track Court),
Paramakudi.
- 2.Aashath Ali
Naiar Kovil Via, Karadaranthakudi Village,
Paramakudi Taluk, Ramanathapuram District.
- 3.Naina Mohammed
No.85, Kalltheru, Trichy Town.
- 4.Beer Mohammed Nizaam
No.85, Kalltheru, Trichy Town.
- 5.Rasiya Begam
Naiar Kovil Via, Karadaranthakudi Village,
Paramakudi Taluk, Ramanathapuram District.

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P.D.AUDIKESAVALU,J.

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in
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and
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