



C.R.P(MD)No.1054 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.11.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

**C.R.P(MD)No.1054 of 2020
and
C.M.P(MD)o.6746 of 2020**

V.Soundari ... Petitioner / Petitioner / 3rd Party

Vs

1.R.Manikandan ... 1st respondent / Plaintiff

2.C.Kannan ... 2nd Respondent / Defendant

Prayer : This Civil Revision Petition is filed under Section 115 of Code of Civil Procedure, to allow this Civil Revision Petition by setting aside the fair and decreetal order passed in I.A.No.235 of 2015 in I.A.No.131 of 2014 in O.S.No.73 of 2014 dated 21.10.2019 on the file of the learned Subordinate Judge, Sivakasi, Virudhunagar District.

For Petitioner : Mr.C.M.Arumugam

For R1 : Mr.N.Dilip Kumar

For R2 : No appearance



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C.R.P(MD)No.1054 of 2020

ORDER

This Civil Revision Petition is filed to allow this Civil Revision Petition by setting aside the fair and decreetal order passed in I.A.No.235 of 2015 in I.A.No.131 of 2014 in O.S.No.73 of 2014 dated 21.10.2019 on the file of the learned Subordinate Judge, Sivakasi, Virudhunagar District.

2. A report is called for from the learned Subordinate Judge, Sivakasi and the report reads that the suit was decreed as ex parte on 23.11.2015 and thereafter E.P.No.8 of 2021 was filed to execute the decree. The property was brought for sale. The property was sold in public auction and third party purchaser was issued with the sale certificate and thereafter he filed E.A.No.3 of 2024, seeking delivery. Now it is stated to be pending.

3.Since E.P proceeding has been terminated in view of the sale certificate in favour of the auction purchaser, the matter has become infructuous.



C.R.P(MD)No.1054 of 2020

WEB COPY

4. Accordingly, this Civil Revision Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition stands closed.

18.11.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

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

3/4



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C.R.P(MD)No.1054 of 2020

G.ILANGO VAN, J.

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ORDER
IN
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