



C.R.P(MD)Nos.2139 & 2140 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.10.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P(MD)Nos.2139 & 2140 of 2024

C.R.P(MD)No.2139 of 2024

R.Paramasivam

... Petitioner /
Respondent /
Respondent

Vs.

K.Ramalakshmi

... Respondent /
Petitioner /
Appellant

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, directing the Additional District Court, Virudhunagar to expedite and dispose the application in I.A.No.38 of 2022 in A.S.No.2 of 2017 on the file of Additional District Court, Virudhunagar within the time framed stipulated by this Court.

For Petitioner : Mr.M.P.Senthil

For Respondent : No Appearance



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R.Paramasivam

... Petitioner /
Respondent /
Respondent

Vs.

K.Ramalakshmi

... Respondent /
Petitioner /
Appellant

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, directing the Additional District Court, Virudhunagar to expedite and dispose the application in I.A.No.39 of 2022 in A.S.No.3 of 2017 on the file of Additional District Court, Virudhunagar within the time framed stipulated by this Court.

For Petitioner : Mr.M.P.Senthil

For Respondent : No Appearance

COMMON ORDER

Heard the learned counsel appearing for the revision petitioner.

2.The petitioner herein filed O.S.No.39 of 2013 for declaration and permanent injunction on the file of Sub Court, Virudhunagar. The



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defendant K.Ramalakshmi filed counter claim. On 27.11.2015, the petitioner's suits was decreed as prayed for. Counter claim was dismissed. Challenging the same, K.Rajalakshmi filed A.S.Nos.2 of 2017 and 3 of 2017. It was allowed to be dismissed for default. Subsequently, Interlocutory Applications were filed for restoration. The grievance of the revision petitioner is that these Interlocutory Applications are not being prosecuted diligently and the matter pending for months together. In these circumstances, the present CRPs came to be filed for directing the Court below to speedily dispose of the restoration applications.

3.When the matter was taken up for hearing today, the learned counsel for the petitioner informed the Court that K.Rajalakshmi is no more. Therefore, no further order can be passed in these two Civil Revision Petitions. The restoration applications have suffered a natural death. Unless K.Rajalakshmi's legal heirs come on record, these Interlocutory Applications cannot be disposed of. If K.Rajalakshmi's legal heirs file Interlocutory Applications for coming on record, such Interlocutory Applications shall be disposed of on merits and in



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accordance with law within a period of three months thereafter. If the first appeals are eventually restored to file, they shall be disposed of on merits and in accordance with law within a period of two months within such restoration.

4.These Civil Revision Petitions are disposed of accordingly.

There shall be no order as to costs.

03.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To

The Additional District Court,
Virudhunagar.



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G.R.SWAMINATHAN, J.

MGA

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