



C.R.P(MD)No.2267 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.04.2024**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.2267 of 2019
and
C.M.P(MD)No.11727 of 2019

1.G.Saravanan

2.G.Aarthi

3.G.Karthi

... Petitioners / Petitioners/
Respondents 8-10

Vs.

1.Aundipatti Nadar Uravinmurai,
Aundipatti through its President,
S.Arumugam.

2.Aundipatti Nadar Uravinmurai,
Aundipatti through its Vice President,
T.Sankarapandian.

3.Aundipatti Nadar Uravinmurai,
Aundipatti through its Secretary,
A.Selvaraj.

... Respondents/Respondents 1-3/
Decree Holders

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order, dated



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05.11.2019 in E.A.No.3 of 2019 in E.P.No.54 of 2015 in O.S.No.405 of 1994 passed by the Subordinate Judge, Theni.

For Petitioner : Mr.B.Rajesh Saravanan

For R1 : No Appearance

For R3 : Mr.K.Hemakarthiskeyan

ORDER

The legal heirs of the 1st defendant in O.S.No.405 of 1994 on the file of Sub Court, Theni have filed the present revision petition challenging an order wherein the Executing Court had dismissed an application for staying the execution proceedings in E.P.No.54 of 2015.

2. A perusal of the typedset of papers indicate that the said suit was filed for the relief of specific performance and the suit was decreed on 08.03.2000. The decree holder had filed E.P.No.54 of 2015 for execution of sale deed and the sale deed was also executed. The defendants / judgment debtors have filed E.A.No.3 of 2019 to stay further proceedings in the execution pending another suit in O.S.No.208 of 2015 which was filed for partition. The said application was dismissed. Challenging the same, the present revision petition has been filed.



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3. A perusal of the Court proceedings from the website indicate that in view of the registration of sale deed, E.P has already been terminated. Therefore, no question of staying further execution proceedings arises.

4. Recording the same, this Civil Revision Petition stands disposed of. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

22.04.2024

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

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To

1.The Subordinate Court,
Theni.

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

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Order made in
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