



C.R.P(MD)No.3427 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

C.R.P(MD)No.3427 of 2023

M.K. Muthukumaran

...Petitioner

Vs.

S. Muthupandi

...Respondent

PRAYER: Civil Revision Petition is filed under Section 115 of the Civil Procedure Code against the order passed in E.A.No.1 of 2023 in E.P.No.86 of 2022 in O.S.No.298 of 2018 dated 17.07.2023 on the file of 6th Additional District Judge, Madurai and pass such further or other orders as this Court.

For Petitioner : Mr.R.Ponkarthikeyan

For Respondent : Mr.C.Mayilvahana Rajendran

ORDER

This Civil Revision Petition was allowed in the admission stage itself without sending notice to the respondent on



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the basis of the submission made by the learned counsel for the petitioner. Now after passing the above said order, it has been brought to the notice of this Court that CRP(MD)No.3336 of 2023 was dismissed by this Court on 21.12.2023, which was filed by the petitioner against the order passed in E.A.No.2 of 2023 in E.P.No.86 of 2022 in O.S.No.298 of 2018 and the same was not brought to the notice of this Court while passing the order in the present revision. On that ground, the present revision is posted under the caption 'for clarification'.

2. The learned counsel for the petitioner would submit that the abovesaid fact was not brought to the notice of this Court at the time of hearing. According to him, this revision has become infructuous in view of the development before the executing court and since the property was now brought on sale, the purpose is going to be served even by recalling the earlier order.



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3. In view of the above, the order dated 03.01.2024 is recalled.

4. Now taking into consideration the subsequent development took place in executing court on 08.01.2024, this revision has become infructuous and the same is dismissed as infructuous. No costs.

12.01.2024

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

To

1. The 6th Additional District Judge,
Madurai.

2. The Section Officer,
V.R. Section, Madurai Bench of Madras High Court,
Madurai.



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G. ILANGO VAN, J.

CM

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