



WEB COPY



CRP NO. 731 of 2025 & CMP NO. 4197 of 2025

CRP NO. 731 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

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K.S. Sampath (died)

1. S. Mallika, W/o Late Sampath
- 2.S.Sudha @ Brintha, D/o Late Sampath
- 3.S.Sathiya @ Kalpana, D/o Late Sampath
- 4.S.Bhuvaneswaran, S/o Late Sampath
9A-Kumarasampetti, West Street No.3, Salem-7.
Now residing at 105, 4th Cross Kamatchi Nagar,
Chinnathirupathi, Salem 8.

Petitioner(s)

Vs.

M. Sankaran (Died)

1. Sasikumar, S/o. late. Sankaran, 2/2, Sun Eye Care
(In upstairs), Junction Main Road, Tharamangalam,
Omalur Taluk, Salem District.
- 2.Dhamodharan, S/o. Late. Sankaran
- 3.Prakash, S/o. Late. Sankaran,
- 4.Ranjitham, W/o. Late. Sankaran,
All are residing at 180/1, Thirunagar,
Hasthampatti, Salem 636 007.

Respondent(s)

Prayer: Civil Revision Petition is filed under Section 115 of Civil Procedure Code against the fair and decretal order dated 12.12.2024 in R.E.P.No.181 of 2013 in R.E.P.No.56 of 2010 in O.S.No.87 of 2007 dated 12.12.2024 on the file of II Additional District Court, Salem.



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For Petitioner(s): Mr.A.Ilayaperumal

For Respondent(s): Mr.P.Jagadeesan

ORDER

Challenging the order of delivery of possession of the petition mentioned property passed in R.E.P.No.181 of 2013 in R.E.P.No.56 of 2010 in O.S.No.87 of 2007 dated 12.12.2024 by the file of II Additional District Court, Salem, the present civil revision petition has been filed.

2. Learned counsel for the petitioner would submit that he is unable to contact the petitioners.

3. Per contra, Mr.P.Jagadeesan, learned counsel for the respondents would submit that delivery has been effected and recording the same, the Execution petition has been closed and thereby, nothing survives for adjudication in this civil revision petition and the same may be dismissed as infructuous. He has also furnished a copy of the E-Court adjudication of the proceedings in which, delivery has been recorded and Execution proceeding has been closed.

4. The suit is filed for specific performance by the father of the



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respondents herein and the same is decreed with a direction to the respondents herein to deposit the balance sale price of Rs.3,00,000/- on or before 08.01.2010 and on receipt of the balance sale consideration, the petitioners herein were directed to execute the sale deed in favour of the respondents and now the sale deed was executed and possession was handed over to the respondents on 17.04.2024. To prove the same, the learned counsel for the respondent has furnished a copy of the E-court proceedings and on perusal of the same, it is clear that delivery has been recorded and the Execution proceedings has been closed on 17.04.2025.

5. In view of the above, nothing survives for adjudication in this civil revision petition and the same is closed. No costs. Consequently, connected civil miscellaneous petition is also closed.

24.04.2025

Index: Yes/No
raa

To

1. II Additional District Court, Salem.
2. Additional District Court, (Fast Track Court No.I), Salem.

A.D.JAGADISH CHANDIRA, J.



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