



C.R.P.No.1968 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

C.R.P.No.1968 of 2025

and

C.M.P.No.11342 of 2025

1.Ayyanar
Kolekara Gounder (died)
2.Veerammal
3.Dhanasekar
4.Ramayee
5.Dhandapani
6.Govindammal
7.Panchavarnam

... Petitioners

Vs.

1.Veerammal
2.Elumalai

... Respondents

*[Cause title accepted vide order of Court dated
20.12.2017 made in CMP No.21929 of 2017
in CRP SR.No.60410 of 2017]*

Prayer : Civil Revision Petition filed under Section 115 of the Code of Civil Procedure against the fair and decretal order in I.A.No.804 of 2015 in O.S.No.76 of 2014, dated 22.01.2016, on the file of the Principal District Munsif Court at Thirukovilur.



C.R.P.No.1968 of 2025

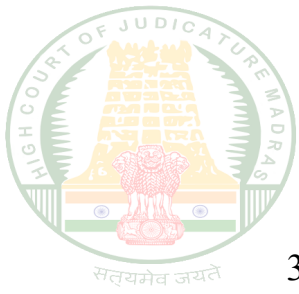
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For Petitioners : Mr.P.Vasanth
R1 : Died
R2 : Service awaited

ORDER

Challenging the order passed by the Principal District Munsif Court, Thirukovilur, dismissing the application in I.A.No.804 of 2015 in O.S.No.76 of 2014 to condone the delay of 180 days in filing an application to set aside the *ex parte* decree, the present revision has been filed.

2.The suit in O.S.No.76 of 2014 has been originally filed by the 1st respondent for declaration of title and for recovery of possession. The said suit was decreed *ex parte* on 22.12.2014. Thereafter, the petitioners have filed the present application to condone the delay of 180 days in filing an application to set aside the *ex parte* decree. The said application has been dismissed by the trial Court. Challenging the same, the present revision has been filed.



C.R.P.No.1968 of 2025

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3. When the matter was taken up for hearing, the learned counsel for the petitioners would submit that, pursuant to the decree, execution proceedings were initiated and ultimately, possession was also taken and the Execution Petition has also been terminated. The learned counsel further submitted that the 2nd petitioner has already filed a suit in O.S.No.65 of 2018 on the file of the Principal District Munsif Court, Thirukovilur, to set aside the judgment and decree in O.S.No.76 of 2014, and the same is pending.

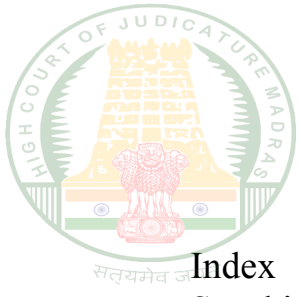
4. In view of the submissions made by the learned counsel for the petitioners, let the parties agitate their case in the pending suit. Nothing survives in this revision petition for adjudication. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

01.07.2025

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Internet : Yes

Page 3 of 5



C.R.P.No.1968 of 2025

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes / No

To

1.The Principal District Munsif Court,
Thirukovilur.

2.The Section Officer,
VR Section,
High Court, Madras.

N. SATHISH KUMAR, J.



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C.R.P.No.1968 of 2025

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