



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1566 of 2021

and

C.M.P.(MD)No.8566 of 2021

Krishnasamy

...Petitioner

Vs.

1.Parameswari
2.P.Periyasamy

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and decreetal order dated 29.01.2021 passed in I.A.No.1 of 2021 in O.S.No.99 of 2019 on the file of the learned District Munsif cum Judicial Magistrate, Aravakurichi.

For Petitioner : Mr.M.P.Senthil

For Respondents 1 & 2 : Mr.K.Govindarajan

ORDER

The petitioner is the defendant in the suit in O.S.No.99 of 2019, on the file of the learned District Munsif cum Judicial Magistrate, Aravakurichi, in



which the plaintiffs filed an interlocutory application in I.A.No.1 of 2021, under Order 26 Rule 9 and Section 151 of CPC, for appointment of Advocate Commissioner. The said I.A. was allowed. Challenging the same, the present Civil Revision Petition has been filed.

2.Learned Counsel for the petitioner would submit that during the pendency of this Civil Revision Petition, the Advocate Commissioner did not file his report and the suit was dismissed for default. Till date, the respondents have not taken any steps to restore the same.

3.In view of the subsequent developments, nothing survives for adjudication in this Civil Revision Petition. Accordingly, this Civil Revision Petition stands dismissed as infructuous. However, if the impugned I.A. Is restored or any subsequent I.A. Is filed, then the petitioner is at liberty to work out his remedy in the manner known to law. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

13.06.2025

Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The District Munsif cum Judicial Magistrate,
Aravakurichi.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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