



C.R.P.(MD)No. 2096 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2096 of 2022

and

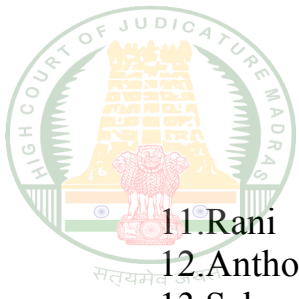
C.M.P.(MD)No.9675 of 2022

- 1.Ramani
- 2.Raju
- 3.Christopher
- 4.Vargheese

...Petitioners

Vs.

- 1.Alex Jayasingh
- 2.Bebians
- 3.Peter
- 4.Rethina Raj
- 5.Vargheese
- 6.Vargheese
- 7.Government of Tamilnadu,
Rep. by District Collector,
Kanyakumari District (Campus),
Nagercoil,
Agasteeswaram Taluk
Kanyakumari District.
- 8.Leema rose
- 9.Xavier
- 10.Vargheese



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11.Rani
12.Anthony
13.Sahayamary

...Respondents

PRAYER: Civil Revision Petition is filed under section 115 of Code of Civil Procedure, praying to set aside the order dated 08.07.2022 made in E.P.No.14 of 2021 in O.S.No. 148 of 2006, on the file of the District Munsif, Eraniel.

For Petitioners : Mr.S.Rajasekar

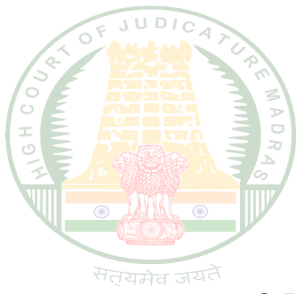
For Respondent No.1 : Mr.K.P.Narayana Kumar

For Respondents 2,3,5 to 7 : No Appearance

ORDER

This petition has been filed seeking to set aside the order dated 08.07.2022 made in E.P.No.14 of 2021 in O.S.No. 148 of 2006, on the file of the District Munsif, Eraniel.

2.Learned Counsel for the petitioners would submit that the petitioners are the defendants 2 to 5 in O.S.No.148 of 2006 and the said suit was decreed in favour of the plaintiffs on 05.04.2021 and thereafter, they filed E.P.No.14 of 2021. The said E.P. came to be ordered on 08.07.2022. Challenging the same, the present Civil Revision Petition has been filed.



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3. However, learned Counsel for the petitioners would submit that in the meanwhile, the petitioners have filed an appeal before the Sub Court, Eraniel, in A.S.No.6 of 2024 and the same is pending consideration. In view of the same, nothing survives for adjudication in this Civil Revision Petition.

4. In the absence of any restrain order, the trial Court has rightly proceeded with the E.P. Unless the petitioners obtain a restraint order in appeal, the Civil Revision Petition is not maintainable. In view of the above, this Civil Revision Petition stands dismissed. However, liberty is granted to the petitioners to work out their remedy in the manner known to law. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

28.07.2025

Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The District Munsif,
Eraniel.
- 2.The District Collector,
Kanyakumari District (Campus),
Nagercoil,
Agasteeswaram Taluk
Kanyakumari District.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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