



C.R.P. (MD) No. 2414 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

C.R.P. (MD) No. 2414 of 2023

and

C.M.P. (MD) No. 12511 of 2023

A.Ayyar

... Petitioner

-VS-

A.Isai Amuthan

... Respondent

PRAYER:- Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 22.08.2023 passed by the Principal Sub Court, Srivilliputhur in I.A. No. 1 of 2022 in O.S. No. 253 of 2022 insofar as the conditional clause.

For Petitioner : Mr. K.Sudalaiyandi

For Respondent : Mr. S.I.Muthaiah

ORDER

This Civil Revision Petition invoking Article 227 of the Constitution of India, 1950, has been filed challenging the order dated 22.08.2023 made in I.A. No. 1 of 2022 in O.S. No. 253 of 2022 passed by the Principal Sub Court, Srivilliputhur (hereinafter referred to as the 'Trial Court' for short).



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2. Heard Mr. K.Sudalaiyandi, Learned Counsel for the petitioner and Mr. S.I.Muthaiah, Learned Counsel for the respondent and perused the materials placed on record, apart from the pleadings of the parties.

3. It is pointed out that it is an appealable order under Order 43 Rule 1 of the Code of Civil Procedure.

4. Learned Counsel appearing for the petitioner seeks permission of this Court to withdraw this Civil Revision Petition with liberty to file an appeal before the appropriate forum, since it is an appealable order. He has also made an endorsement to that effect in the court record.

5. It is needless to add here that for the purpose of reckoning limitation, the period from the date of presentation of the Civil Revision Petition, viz., 14.09.2023, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. The Interim order already granted by this Court on 25.09.2023 shall continue to be in force for a period of two weeks from the date on which the certified copy of the order made ready.



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6. In the result, the Civil Revision Petition is dismissed as withdrawn.

Consequently, the connected Miscellaneous Petition is closed. No costs.

14.11.2025

Index : Yes/No
NCC : Yes/No
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To

- 1.The Principal Sub Court, Srivilliputhur.
- 2.The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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