



CRP(MD).Nos.2805 and 2806 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.01.2025

CORAM

THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN THILAKAVADI

C.R.P(MD)Nos.2805 and 2806 of 2024 and
CMP(MD).No.15830 of 2024

Mariappan : Petitioner / defendant
in both cases

Vs.

V. Sankaran : Respondent / plaintiff
in both cases

PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India against the fair and decreetal order, passed in I.A.Nos. 3 and 4 of 2024 in O.S.No.39 of 2022, dated 26.09.2024 on the file of the District Munsif Cum Judicial Magistrate, Shenkottai.

For Petitioner : Mr.H. Arumugam
in both CRPs.

For Respondent : Mr.R.Sai Aravind
in both CRPs



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COMMON ORDER

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These Civil Revision Petitions are filed against the fair and decreetal order, dated 26.09.2024 passed in I.A.Nos. 3 and 4 of 2024 in O.S.No.39 of 2022, on the file of the District Munsif-Cum-Judicial Magistrate, Shenkottai.

2. When the matters are taken up for hearing on 20.01.2025, the learned counsel appearing for the revision petitioner / defendant submitted that in spite of the memo filed by the petitioner before the trial Court, the learned trial Judge has passed the ex parte decree in the above said suit in O.S.No.39 of 2022. Hence, this Court called for remarks from the trial Court.

3. The learned District Munsif Cum Judicial Magistrate, Shencottai sent a report, dated 24.01.2025, wherein, it has been stated that on the date of pronouncing the Judgment i.e., on 07.11.2024 neither the defendant's Advocates informed nor filed any memo about the case pending before this Court or any interim stay granted by this Court.

4. On perusal of the report it is made clear that, the Presiding Officer



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was not informed about the stay order passed by this Court and hence, he has proceeded with suit and passed the Judgment. In such circumstances, nothing survives for adjudication in these Civil Revision Petitions.

5. Accordingly, these Civil Revision Petitions are closed. No costs.

Consequently, the connected Miscellaneous Petition is also closed.

28.01.2025

Index : Yes / No

Internet : Yes/ No

trp

To

The Subordinate Judge, Thirumangalam,
Madurai District.



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K. GOVINDARAJAN THILAKAVADI, J.,

trp

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