



WEB COPY

CRP No. 2338 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 2338 of 2025

D.C.Balu

No. 14, NGR Main Road, Old No. 47/4,
Santhiappan Salai, 1st Cross Street,
Kandhanchavadi,
Chennai-600 096.

..Petitioner(s)

Vs

1. M.Sekaran

S/o. Late.Muthusamy,
No. 13A, 2nd Cross Street, 3rd Main Road,
Velacherry,
Chennai – 600 042.

2. D.Rajasundaram, Conductor,

No. 3-7/181, Nellikka Vilai, Paloor, Karungal,
Vilavancode,
Kanyakumari- 629157.

..Respondent(s)

Civil Revision Petition filed under Article 227 of Constitution of India to strike down the plaint in O.S No. 6080/2023 on the file of I Assistant City Civil Court, Chennai.

For Petitioner(s):

For Respondent(s):

Mr.P.T.Perumal

Mr..K.Natarajan

for R1

Mr.M.Dinesh

for R2



ORDER

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This Civil Revision Petition has been filed to strike down the plaint filed in O.S.No.6080 of 2023, on the file of I Assistant City Civil Court, Chennai.

2. The petitioner is the 1st defendant and the 2nd respondent is the 2nd defendant in the suit. The suit has been filed by the 1st respondent for permanent injunction to restrain the petitioner and the 2nd respondent who are the defendants in the suit from disturbing the peaceful possession and enjoyment of the suit schedule property by the 1st respondent/plaintiff except by due process of law. The suit schedule property is presently occupied by the 1st respondent/plaintiff as the 1st respondent/plaintiff's residence. The petitioner has filed this CRP on the ground that the suit filed by the 1st respondent/plaintiff is an abuse of process of law and on that ground, this CRP has been filed to strike down the plaint filed in support of O.S.No.6080 of 2023.

3. Learned counsel for the petitioner as well as the learned counsel for the 2nd respondent would now submit on instructions that the petitioner and the 2nd respondent who are the defendants in the suit in O.S.No.6080 of 2023 shall give an undertaking before this Court that they shall not disturb the peaceful possession and enjoyment of the suit schedule property by the 1st



respondent/plaintiff. An endorsement has also been made by the respective counsels on instructions before this Court in the Court bundle. In view of the same, the prayer sought for by the 1st respondent/ plaintiff in the suit has been achieved by the 1st respondent/plaintiff.

3. After recording the endorsement made by the petitioner's counsel as well as the 2nd respondent's counsel on behalf of the defendants in the suit, this Civil Revision Petition is disposed of by disposing of the suit in O.S.No.6080 of 2023 which is now pending on the file of I Assistant City Civil Court, Chennai by directing the defendants in the said suit in terms of their undertaking given before this Court that they shall not disturb the peaceful possession and enjoyment of the suit schedule property by the 1st respondent/plaintiff except by following the due procedure established under law. No costs. Consequently, connected Miscellaneous Petition is closed.

07-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

I Assistant City Civil Court, Chennai.



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ABDUL QUDDHOSE, J.

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