

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2015

CORAM :

THE HONOURABLE MS.JUSTICE R.MALA

C.R.P(PD).No.4648 of 2015

P. Rajagopal Reddy

.. Petitioner

Vs.

E. Sreedevi

.. Respondent

Prayer:- Civil Revision Petition filed under Article 227 of Constitution of India praying for a direction to dispose of the petition in I.A.No.13616 of 2015 in O.S.No.2786 of 2015 on the file of VIII Assistant Judge, City Civil Court, Chennai within a time frame fixed by this Court.

For Petitioner : Mr. R. Munuswamy

ORDER

This Civil Revision Petition is filed praying for a direction to dispose of the petition filed by the petitioner herein in I.A.No.13616 of 2015 in O.S.No.2786 of 2015 on the file of VIII Assistant Judge, City Civil Court, Chennai within a time frame fixed by this Court.

2. Learned counsel for the petitioner submitted that the respondent herein, as a plaintiff, filed a suit in O.S.No.2786 of 2015 before the VIII Assistant City Civil Court at Chennai for permanent injunction not to alienate the immovable property which is situated within the jurisdiction of District Munsif Court, Ponneri. But the plaint has been filed before the City Civil Court, Chennai, since the petitioner/defendant was residing within its jurisdiction. So, the petitioner/defendant filed an application for rejection of the plaint, which was taken on file as I.A.No.13616 of 2015 and the same is yet to be disposed of. Hence the petitioner has filed the present revision seeking for a direction for early disposal of the I.A.No.13616 of 2015.

3. Considering the limited prayer sought for in this Revision, notice to the respondent is hereby dispensed with.

4. Considered the submissions of learned counsel for petitioner and perused the typed set of papers.

5. The suit was filed for bare injunction in respect of property situate within the jurisdiction of District Munsif Court, Ponneri, but the suit has been filed before the City Civil Court, Chennai and now the case is

pending before VIII Assistant City Civil Court, Chennai. The defendant as petitioner herein filed I.A.No.13616 of 2015 under Order 7, Rule 11 of CPC for rejection of plaint which has not seen the light of the day. So the trial court is directed to dispose of the above I.A.No.13616 of 2015 on merits and in accordance with law within a period of one month from the date of receipt of a copy of this order.

6. With the above direction, this Civil Revision Petition is disposed of.
No costs.

15.12.2015

Index :Yes/No
Internet:Yes/No
msr

To

The VIII Assistant Judge, City Civil Court, Chennai

R. MALA, J

msr

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