

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2016

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

**C.R.P.(NPD) No.2509 of 2014
and M.P.No.1 of 2014**

Bhamarai Bai

... Petitioner

..VS..

1. S.Anbazhagan

2. Satrasala Venkatachalam Chetty
Charities, rep. By its Honorary Secretary,
S.Sugunakar
11, Kasi Chetty Lane,
Sowcarpet, Chennai 79.

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India to strike off A.S.No.165 of 2014 on the file of the Principal City Civil Court, Chennai as an abuse process and for consequential orders.

For Petitioner : Ms.Sripriya for
Mr.V.Raghavachari

For Respondents : Mr.K.P.Santhosh (R1)
NA-R2

O R D E R

The above Civil Revision Petition has been filed under Article 227 of the Constitution of India to strike off the appeal in A.S.No.165 of 2014, pending on the file of the Principal Judge, City Civil Court, Chennai.

2. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the dispute between the parties has been referred to an Arbitrator and therefore, filing of an appeal as against the Judgment and decree passed in O.S.No.3438 of 2012, is an abuse of process of law.

3. The learned counsel appearing for the 1st respondent/plaintiff submitted that the 1st respondent/plaintiff has instructed him to withdraw the appeal in A.S.No.165 of 2014 and that he would withdraw the said appeal on the next date of hearing. In view of the submission made by the learned counsel for the 1st respondent, I do not find any reason to keep the Civil Revision Petition pending.

4. Accordingly, the Civil Revision Petition is disposed of in view of the submission made by the learned counsel appearing for the 1st respondent/plaintiff. No costs. Connected miscellaneous petition is closed.

18.11.2016

rg

To
The Principal Judge,

City Civil Court, Chennai.

M. DURAISWAMY,J.,

rg

C.R.P.(NPD) No.2509 of 2014

18.11.2016