

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.03.2016

CORAM

THE HONOURABLE Mr. JUSTICE P.R.SHIVAKUMAR

C.R.P.[PD] No.1616 of 2015

and

M.P.No.1 of 2015

C.Venkatachalam

... Petitioner

Vs

1. Vanithamani
2. Meerabai
3. Karthikeyan
4. Rathinam
5. Mynavathi
6. Pichaipillai

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India praying to strike off the plaint in O.S.No.24 of 2015 on the file of Subordinate Judge, Perambalur.

For Petitioner : Mr.S.Kamadevan

For Respondents 1 to 3 : Mr.P.Karthikeyan
Party-in-Person

For Respondents 4 to 6 : No Appearance

ORDER

This petition has been filed under Article 227 of the Constitution of India for striking off the plaint on the ground that the suit has been filed as an abuse of process of Court to re-litigate an issue which was finally decided in the earlier suit between the

P.R.SHIVAKUMAR, J

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petitioner and the sixth respondent herein, who is none other than the father of the respondents 1 to 3 herein, who are the plaintiffs in the present suit.

2. However, when the matter came up for hearing, the learned counsel for the petitioner submitted that the petition may be dismissed as withdrawn, but at the same time a direction may be issued to the trial Court to expedite the trial and dispose of the same within a time frame. An endorsement to that effect has also been made.

3. Endorsement is recorded. The Civil Revision Petition is dismissed as withdrawn. The learned trial Judge is directed to expedite the trial and dispose of the suit not later than six months from the date of receipt of a copy of this order. No costs. Connected miscellaneous petition is closed.

04.03.2016

Index: Yes/No
Internet: yes/No

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Note: Issue order copy today (08.03.2016)
To

The Subordinate Judge, Perambalur.

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