

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

CRP (PD) No.3231 of 2016 and
C.M.P.No.16384 of 2016

G.Rajkumar

.. Petitioner

versus

1.G.Nishanthi
2. G.Jeevankumar
3. The Tahsildar
Guindy, Saidapet,
Chennai 600 015

..Respondents

Petition filed under Article 227 of the Constitution of India against the petition and order dated 23.08.2016 in I.A.No.11553 of 2016 in O.S.No.1486 of 2015 filed under Order VII Rule 11(d) of CPC by the revision petitioner, on the file of the XVIII Assistant Judge's, City Civil Court, Chennai.

For Petitioner : Mr.K.Ashok Kumar

ORDER

Learned counsel for the petitioner made an endorsement indicating that he is withdrawing the application in I.A.No.11553 of 2016. The learned counsel seeks liberty to file an application before the trial Court to frame an issue with regard to maintainability.

**K.K.SASIDHARAN,J
rg**

2. In view of the endorsement made by the learned counsel for the petitioner, the application in I.A.No.11553 of 2016 is dismissed as withdrawn. The petitioner is given liberty to file an application before the trial Court for recasting the issue, in view of the contention taken by him in the written statement that the suit is not maintainable.

3. Since the very application in I.A.No.11553 of 2016 is dismissed as withdrawn, there is no need for a factual adjudication of the revision petition challenging the order dated 23.08.2016.

The Civil Revision Petition is disposed of with the above observation. No costs. Connected miscellaneous petition is closed.

18.10.2016

rg

To

XVIII Assistant Judge, City Civil Court, Chennai.

CRP (PD) No.3231 of 2016