

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2016

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

C.R.P. (PD) No.3707 of 2016
and C.M.P.No.18828 of 2016

M/s.Coromandel Club Pvt. Ltd.,
 having its registered office at
 No.7, Jerald Garden, II Avenue,
 Casa Major Road, Egmore,
 Chennai, rep. by its director
 K.Kanagasabai

... Petitioner

Vs.

1.Mani Nadar

2.Rajendran

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order dated 20.08.2014 made in I.A. No.794 of 2009 in O.S. No.753 of 2008 on the file of the District Munsif cum Judicial Magistrate Court, Sriperumbudur.

For Petitioner : Mr.K.Rajasekaran for
 Mr.M.R.Gokulkrishnan

ORDER

The revision petitioner, who is the defendant in O.S. No.753 of 2008, has filed this petition, challenging the order dismissing an Application under Section 10 of Civil Procedure Code.

2.A perusal of the records show that there are two suits namely O.S. Nos.971 of 2008 & 753 of 2008. Both the suits are pending on the file of the District Munsif cum Judicial Magistrate, Sriperumbudur. The said Section 10 Application was dismissed by the District Munsif cum Judicial Magistrate, Sriperumbudur stating that though the properties are common, the parties and cause of action are different and therefore the stay of the other suit cannot be granted.

3.However, this Court is inclined to order a joint trial of both suits, which are pending before the same Court. Considering the fact that both the suits are pending for more than eight years, the District Munsif cum Judicial Magistrate, Sriperumbudur is directed to complete the Trial and pronounce judgment on or before 30.04.2017.

4.The Civil Revision Petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petition is closed.

19.12.2016

Index : Yes/No

vga

To

The District Munsif cum
Judicial Magistrate Court,
Sriperumbudur.

PUSHPA SATHYANARAYANA,J.

vga

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