

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2017

CORAM

THE HONOURABLE MR.JUSTICE M. DURAISWAMY

C.R.P.(PD).No.1184 of 2017
and C.M.P.No.5646 of 2017

1.O.Raman

2.A.Prabhakaran

... Petitioners

Vs.

1.V.P.Murugan

2.M.Dhanalakshmi

3.Munuswami

4.Ganesan

5.Raja

6.Rajiv Prince Aron

7.Ravikumar

8.D.Murali

9.John

10.Ashokan

... Respondents

(Since R2 to R10 are not necessary parties, they were given up in the CRP)

Civil Revision Petition filed under Article 227 of the Constitution of India to strike off the I.A.No.14685 of 2016 in O.S.No.4486 of 2016 on the file of the IV Assistant City Civil Court, Chennai.

For Petitioners : Mr.D.Kanagasundaram

ORDER

The revision petitioners, who are the contemnors 10 & 11 in I.A.No.14685 of 2016 in O.S.No.4486 of 2016 on the file of the IV Assistant Judge, City Civil Court, Chennai, have filed the above Civil Revision Petition to strike off the application in I.A.No.14685 of 2016.

2.The learned counsel appearing for the petitioners submitted that the revision petitioners are Advocates and that they have not committed any contempt and further, they are not parties to the suit in O.S.No.4486 of 2016.

3.However, on a reading of the affidavit filed in support of the application, it could be seen that in paragraph-7 the plaintiff has made allegations against the revision petitioners also. Therefore, I am of the view that instead of going into the merits of the matter, the petitioners can be given liberty to contest the matter before the trial Court.

4.The learned counsel appearing for the petitioners submitted that the revision petitioners have already filed their counter and therefore, the trial Court may be directed to dispose of the application on merits within a time frame.

5. Having regard to the submissions made by the learned counsel for the petitioners, without expressing any opinion with regard to the merits of the case, I direct the IV Assistant Judge, City Civil Court, Chennai, to dispose of the application in I.A.No.14685 of 2016 in O.S.No.4486 of 2016, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

6. With these observations, the Civil Revision Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Index : No

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Internet : Yes

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Note: Issue order copy on 03.04.2017.

To

The IV Assistant City Civil Court,
Chennai.

M. DURAISWAMY, J.
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