

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

CRP.PD.No.3015 of 2017 and
CMP.No.14149 of 2017

1. P.Muthammal
2. A.Kalyani
3. T.Vijayalakshmi
4. M.Poonkodi
5. P.Bakthavachalam .. Petitioners

Vs

P.Devaraj .. Respondent

Civil Revision Petition filed under Article 227 of the
Constitution of India against the fair and decreetal order dated
30.06.2017 made in I.A.No.646/2015 in O.S.No.220 of 2015 on
the file of the Additional District Judge, Kancheepuram District at
Chengalpattu.

For petitioners : Mr.B.Dayalan

For Respondent : ...

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ORDER

The present Civil Revision Petition is directed against the fair and decretal order dated 30.06.2017 made in I.A.No.646/2015 in O.S.No.220 of 2015 on the file of the Additional District Judge, Kancheepuram District at Chengalpattu.

2. On the basis of the averments made in the plaint, the learned Counsel for the revision petitioners would submit that the suit is based on benami transaction and therefore, the plaint is liable for rejection. However, the trial court has found that there are triable issues involved in this suit which could be decided only at the time of trial.

3. Considering the facts and circumstances of the case, this Court is of the opinion that there is no explicit bar in trying the suit and reject the plaint, however, a direction is given to the Additional District Judge, Kancheepuram District at Chengalpattu to dispose of the suit in O.S.No.220/2015 on merits and in accordance with law, as expeditiously as possible, more preferably, within a period of six months from the date of receipt of a copy of this Order.

4. With the above direction, the Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is also closed.

28.08.2017

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To

The Additional District Judge, Kancheepuram District at Chengalpattu.



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M.GOVINDARAJ, J.

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