

In the High Court of Judicature at Madras

Dated: 19.07.2017

Coram

The Honourable Mr.JUSTICE RAJIV SHAKDHER
and
The Honourable Mr.JUSTICE ABDUL QUDDHOSE

O.S.A.No.170 of 2017

1. Mrs.Arati Meenakshi Muthiah
2. Mr.Tarun Ghai
3. Mrs.Supriya Ananth Reddy
4. Sir M.Ct.Muthiah Chettiar Higher Sec.
School Trust, rep. by its President,
No.23, Raja Annamalai Road,
Purasawalkam, Chennai - 84.
5. Lady M.Ct.Muthiah Chettiar Girls Higher Sec.
School Trust, rep. by its President,
No.13/14, Alagappa Road,
Purasawalkam, Chennai - 84. Appellants

Vs.

Mrs.Kamala Muthiah Respondent

APPEAL filed under Order XXXVI Rule 11 of the O.S.Rules read with Clause 15 of the Letters Patent against the judgment and decree of this Court dated 28.04.2017 made in Application No.1714 of 2017 in CS.No.87 of 2017 filed to reject the plaint filed by the respondent/Plaintiff in C.S.No.87/2017 pending on the file of this Court. सत्यमेव जयते

For Appellants : Mr.Mathusoothanan
for Mr.Najeeb Usman Khan

For Respondent : MrSree Ramakrishnan
for M/s.Abitha Banu

J U D G E M E N T

(Judgement of the Court was delivered by RAJIV SHAKDHER, J.)

1. After some arguments, counsels for the parties agree that the appeal can be disposed of based on the following directions:

- i) That the trial in the Suit will be expedited.
- ii) The appellants/defendants shall file their written statement within a period of four (4) weeks from today.
- iii) Replication, if any, will be filed within a period of three (3) weeks thereafter.
- iv) The parties will also exchange draft issues within a period of one (1) week of completion of pleading.
- v) The matter will be listed before the learned single Judge on 19.09.2017 for framing of issues.
- vi) The respondent/plaintiff will file the affidavit(s) of evidence of the witnesses, she proposes to produce, within two (2) weeks of framing of issues. A copy of the affidavit(s) of evidence, so filed, will be served upon the appellants/defendants.
- vii) The matter will be posted before the learned Master on 24.10.2017 for cross-examination of the respondents/plaintiffs' witnesses.
- viii) Immediately, upon completion of cross-examination of the respondent/plaintiff's witnesses, the appellants/defendants will be called upon to file the affidavit(s) of evidence of their witnesses. For this purpose, a week's time will be granted.
- (ix) The learned Master will fix the date for cross-examination of the appellants/defendants' witnesses.
- (x) As soon as the evidence is recorded, the learned Master will place the matter before the Court. The learned Master will ensure that the entire exercise is completed no later than 22.12.2017.

2. The captioned appeal is disposed of in with the aforesaid directions. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

The Sub Assistant Registrar,
Original Section,
High Court, Madras.

+lcc to Mr.Nageeb usmankhan, Advocate SR.No.50759

+lcc to Mr.AbithaBanu, Advocate SR.No.50549

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EV(CO)

GN(08/08/2017)