

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

C.R.P.(P.D.) No.3391 of 2012
and M.P.No.1 of 2012

1. The Coimbatore Cosmopolitan Club,
No.200, Race Course,
Coimbatore.
Rep. by its President V.Rajendran.
2. The Coimbatore Cosmopolitan Club,
No.200, Race Course,
Coimbatore.
Rep. by its Secretary Vidyasagar Ramdass.
....Petitioners/Respondents

Vs

A.V.KarthikeyanRespondent/Plaintiff

Prayer:- Civil Revision Petition filed Under Section 227 of the Constitution of India to call for the records of the suit in O.S.No.726 of 2012 on the file of the Principal Sub Judge, Coimbatore and struck off the same from the file of the Principal Judge, Sub Court.

For Petitioners: No Appearance

For Respondent : Mr.K.S.KarthikRaja

O R D E R

The civil revision petition is filed by the defendants in O.S.No.726 of 2012 with a prayer to reject the plaint in O.S.No.726 of 2012.

2. The learned counsel for the respondent, by placing reliance on the order dated 28 March 2017 in I.A.No.910 of 2012 submitted that similar application filed before the trial Court invoking Order 7 Rule 11 CPC has also been dismissed and the relevant Civil Revision Petitions are pending before this Court in CRP Nos.1599 and 1600 of 2017.

3. There is no question of adjudicating the lis on account of the rejection of the application filed under Order 7 Rule 11 CPC by the trial Court. I am, therefore of the view that the remedy is only to prosecute the connected civil revision petitions as indicated above.

The civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

gms/msvm

To

The Principal Sub Judge,
Coimbatore.

+1cc to Mr.K.S.Karthik Raja, Advocate sr.41063(29/8/2017)

C.R.P.(P.D.) No. 3391 of 2012

kj[col]
srg 30/06/2017

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