



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.03.2018

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD) No.1954 of 2017 (PD)
and
C.M.P. (MD) .No.9945 of 2017

K.Sathyaraj

... Revision Petitioner /
Respondent / Defendant

Vs.

M.Suresh

... Respondent /
Petitioner / Plaintiff

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the order dated 26/10/2017 passed in I.A.No.231 of 2017 in O.S.No.141 of 2017 on the file of the Principal District Court, Dindigul.

For Petitioner	: Mr.S.R.Sureshkumar
For respondent	: Mr.D.Venkatesh

ORDER

When the matter came up for hearing today, this Court pointed out that the order impugned in this petition is an appealable order and the petitioner has to file a Civil Miscellaneous Appeal before the appropriate forum against that order, the learned counsel for the petitioner fairly submitted that this civil revision petition may be dismissed as withdrawn with liberty to file appeal and the period spent in this petition may be directed to be excluded while calculating the limitation period for filing appeal. The said statement is recorded.

2. In view of the above submission of the learned counsel for the petitioner, this civil revision petition is dismissed as withdrawn with liberty to the revision petitioner to file appeal before the appropriate forum as against the impugned order. The Court below is directed to exclude the period spent by the petitioner in this petition while calculating the limitation period for filing appeal. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar



To

The Principal District Munsif,
Dindigul.

+1cc to M/S.D.Venkatesh, Advocate SR.No. 58581

+1cc to M/S.S.R.Sureshkumar, Advocate SR.No. 57785

C.R.P. (MD) No.1954 of 2017 (PD)

gcg

JM/KKR/SAR 3/16.04.2018/2P/4C