



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) No.2178 of 2017

and

C.M.P. (MD) No.10689 of 2017

1.R.Punithavathi

2.R.Raja

...Petitioners / Defendants

-vs-

1.Minor Sanjai

2.Minor Mythili

... Respondents / Plaintiffs

(RR1 and 2 minors, Rep.by their
mother Vijaya lakhshmi)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India praying to call for the records in O.S.No.23 of 2017 pending on the file of the Subordinate Judge, Thuraiyur and strike of the plaint in O.S.No.23 of 2017 on the file of Subordinate Judge, Thuraiyur.

For Petitioners : Mr.A.Rahul

for Mr.K.R.Krishnan

For Respondents : Mr.H.Lakshmi Shankar

ORDER

The defendants in O.S.No.23 of 2017 on the file of the Sub Court, Thuraiyur, have filed the Civil Revision Petition.

2.The revision petitioners have an effective alternative remedy under order VII Rule 11 r/w 151 C.P.C. Without availing the same, the petitioners filed this Civil Revision Petition.

3.Hence, this Court grants liberty to the revision petitioners to file such application before the Court below. All the contentions available to the revision petitioners are left open. If such application is filed within a period of two weeks from the date of receipt of a copy of this order, the same would be disposed of within a period of four weeks, thereafter. Till such disposal, the suit proceedings would be put on hold. With this liberty, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS-III)



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Sub Assistant Registrar (CS-

I)

To

The Subordinate Judge,
Thuraiyur

+1CC TO MR.A.LAKSHMI SHANKAR ADVOCATE IN SR.No.79911.

+1CC TO MR.A.RAHUL, ADVOCATE IN SR.No.79430.

TA

DS RP SAR-1;05.09.2018; 2P/4C

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