



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) No.1004 of 2016

and

C.M.P. (MD) No.4976 of 2016

1.Mohamed Abdullah

2.Mohideen Abdul Khadar

... Revision Petitioners/ Defendants

-vs-

1.M.Samsudeen

2.S.Masthan

3.S.Bajuloon Beevi

4.S.Noorjahan

5.S.Fathima Beevi

...Respondents / Plaintiffs

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India praying to strike of the plaint in O.S.No.251 of 2016 on the file of the Subordinate Judge, Melur in the exercise of its supervisory jurisdiction.

For Petitioners : Mr.V.Nagendran

For Respondents : Mr.S.Parthasarathy

ORDER

The defendants in O.S.No.251 of 2016 on the file of the Sub Court, Melur are the revision petitioners herein. The revision petitioners seek to strike of the said plaint.

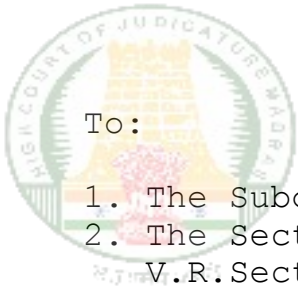
2.This Court is of the view that the revision petitioners can rather avail remedy under Order VII Rule 11 r/w Section 151 of Civil Procedure Code. Therefore, leaving all the contentions left open, they are permitted to file such application within a period of two weeks from today and if such an application is filed within the stipulated period, the trial Judge shall dispose of the same in accordance with law and on merits within a period of four weeks, thereafter. Till such time, the suit proceedings shall be put on hold.

3.This Civil Revision Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(Records)

/True Copy/



To:

1. The Subordinate Judge, Melur.
2. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

+1CC to Mr.V.Nagendran, Advocate, SR.No. 80951

+1CC to Mr.S.Parthasarathy, Advocate, SR.No. 80943

C.R.P. (PD) (MD) No.1004 of 2016
29.08.2018

TA

ES/SKN/SAR 2/30.08.2018/2P/6C