



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 23.08.2018
CORAM
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD).No.15 of 2016 and
C.M.P.(MD)No.84 of 2016

1. Karuppayi
2. Muruganantham

... Petitioners/Petitioners/
Defendants 2 & 3

Vs.

1. S.Ravisankar
2. M.Murugesan
3. M.Ramesh
4. Karthik
5. R.Sivadevan
6. S.Manivel
7. K.Suresh Kumar

... Respondents/Respondents/
Plaintiffs

8. K.Muthu

... Respondent/Respondent/
Defendant No.1

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 10.06.2015 made in I.A.No.70 of 2014 in O.S.No.72 of 2014 on the file of the learned III Additional District Judge, Thanjavur at Pattukottai and allow the above Revision petition.

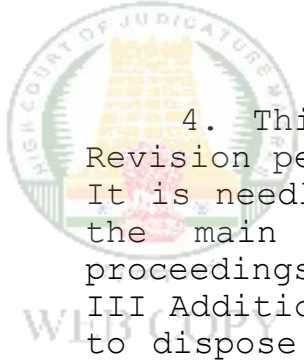
For Petitioner : Mr.B.Jameel Arasu
For R-1 to R-7 : Mr.T.Antony Arul Raj
For R-8 : Mr.A.L.Kannan

ORDER

The Revision petitioners are defendants 2 and 3 in O.S.No.72 of 2014 on the file of the learned III Additional District Judge, Thanjavur at Pattukottai.

2. They filed I.A.No.70 of 2014 under Order 7 Rule 11 of C.P.C., for rejection of plaint. The same was dismissed by order dated 10.06.2015. Questioning the same, the Civil Revision petition has been filed.

3. It is now submitted that the trial has already commenced in the said suit. P.W.1 has been examined and also cross examined. The case was posted for examination of the defendants.



4. This Court is of the view that the issues raised by the Revision petitioners herein can as well be decided in the main suit. It is needless to mention that the learned trial Judge would decide the main suit totally uninfluenced by the outcome of this proceedings. The suit is of the year 2014. Therefore, the learned III Additional District Judge, Thanjavur at Pattukottai, is directed to dispose of the proceedings in O.S.No.72 of 2014 within a period of three months from the date of receipt of a copy of this order.

5. With these directions, the Civil Revision petition stands disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The III Additional District Judge,
Thanjavur at Pattukottai.
2. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

+1CC to Mr.B.Jameel Arasu, Advocate, SR.No.80074
+1CC to Mr.T.Antony Arul Raj, Advocate, SR.No.79972
+1CC to Mr.A.L.Kannan, Advocate, SR.No.79998

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C.M.P.(MD)No.84 of 2016
23.08.2018

PMU
ES/RP/SAR 3/18.09.2018/2P/7C