



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (MD) No.1925 of 2018

Saraswathy

.. Petitioner/3rd Defendant

vs.

1.B.Meenakshisundaram

.. 1st Respondent/Plaintiff

2.A.Senthilkumar

3.R.Anandakrishnan

.. Respondents 2 & 3 /
Defendants 1 & 2

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to struck off the suit against the petitioner in O.S.No.511 of 2018 on the file of the learned Additional Subordinate Judge, Madurai.

For Petitioner : Mr.M.Ramu

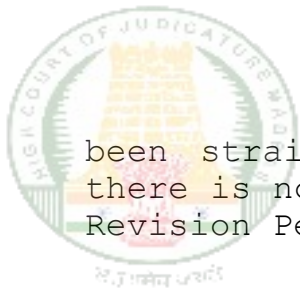
ORDER

The third defendant in O.S.No.511 of 2018 on the file of the learned Additional Sub Judge, Madurai is the revision petitioner herein. The revision petitioner seeks striking off the said suit.

2. The suit is for directing the defendants 1 and 2 to pay a sum of Rs.3,65,560/- with interest. The petitioner is figuring as the third defendant and the second prayer is to direct all the defendants to pay a sum of Rs.1,00,000/- with interest at the rate of 12% per annum towards damages.

3. The learned counsel for the revision petitioner contends that the revision petitioner purchased the suit schedule property only after verifying the parent deeds and the encumbrance certificate and that she is not aware of the agreement between the plaintiff and the defendants 1 and 2. He also pointed that the agreement is an unregistered one.

4. I am of the view that on all these grounds, the suit in question cannot be struck off the file. The petitioner is having remedy under Order 7 Rule 11 CPC to have the plaint rejected. Instead of doing so, the jurisdiction of this Court has



been straight away invoked. I find no ground to interfere and there is no merit in the Civil Revision Petition. Hence, the Civil Revision Petition stands dismissed. No Costs.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-I)

To
1.The Additional Subordinate Judge,
Madurai.

C.R.P. (MD) No.1925 of 2018
05.09.2018

PJL
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