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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) No.2135 of 2018
and
C.M.P. (MD) .No.9455 of 2018

M.Mohamed Rafi Petitioner / Petitioner/ 6th Defendant

Vs.

Guna Polavaram Respondent / Respondent / Plaintiff

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order passed in I.A.No.256 of 2016 in O.S.No.49 of 2015 on the file of the District Munsif Court, Kodaikanal, Dindigul District dated 27.02.2018.

For Petitioner : Mr.P.Paranthaman

ORDER

The sixth defendant in O.S.No.49 of 2015 on the file of the District Munsif Court, Kodaikanal is the revision petitioner herein. The revision petitioner filed an application under Order 7 Rule 11 CPC for rejecting the plaint. The Court below by the impugned order dismissed the said IA. Challenging the same, this Civil Revision Petition has been filed.

2.This Court is of the view that the issues raised in the present petition can be adjudicated only in the main suit. Therefore, leaving open all the contentions of the revision petitioner, the Court below is directed to dispose of O.S.No.49 of 2015 within a period of three months from the date of receipt of a copy of this order.

3. With these directions, this Civil Revision Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.



4. However, it is made clear that the application for extension of time will not be entertained and the compliance report will be submitted by the Court below. On receipt of the same, the Registry is directed to place the said compliance report before me.

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/True Copy/

Sd/-
Assistant Registrar(CO)

Sub Assistant Registrar(CS-I)

To

The District Munsif,
Kodaikanal,
Dindigul District.

Copy To:

The Sub Assistant Registrar,
Judicial Department,
Madurai Bench of Madras High Court,
Madurai.

C.R.P. (MD) No. 2135 of 2018
28.09.2018

PJL
ES/SKN/RSK/SAR 1/10.10.2018/2P/3C