

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

C.R.P.(PD).No.4617 of 2013
and M.P.No.1 of 2013

1.Dhanalakshmi

2.Subramanian

... Petitioners

Vs.

1.Dilshath Begum

2.Raghunathan

3.Lalitha

4.Shanthi

5.Elumalai

... Respondents

(Respondents 2 to 5 are not pressed as they are not arrived by the order under challenge)

Civil Revision Petition filed under Article 227 of the Constitution of India against the petition and docket order passed in I.A.No.15626 of 2013 in O.P.No.195 of 2013 dated 25.10.2013 on the file of the IX Assistant City Civil Court, Chennai.

For Petitioners : Mr.D.Muthukumar

For Respondents : Ms.Simi Mathew
for Mr.V.Anand (R1)

R2 to R5 - no appearance

ORDER

Challenging the order passed in I.A.No.15626 of 2013 in O.P.No.195 of 2013 dated 25.10.2013 on the file of the IX Assistant City Civil Court, Chennai, the respondents 1 & 2 in the O.P.No.195 of 2013 have filed the above Civil Revision Petition.

2.The 1st respondent filed an application in I.A.No.15626 of 2013 to grant an order of interim injunction restraining the petitioners from presenting the cheques for collection. The trial Court granted an order of interim injunction. As against the same, the petitioner preferred the above Civil Revision Petition along with M.P.No.1 of 2013 seeking for stay of the operation of the order dated 25.10.2013 passed in I.A.No.15626 of 2013. This Court, by order dated 02.12.2013, granted an order of interim stay.

3.The learned counsel for the petitioners submitted that after the passing of the order dated 02.12.2013, the petitioners presented the cheques for collection and the cheques were dis-honoured. Subsequently, the petitioners have filed a complaint under Section 138 of the Negotiable Instruments Act and the criminal case is also pending against the 1st

respondent.

4.The learned counsel for the 1st respondent also submitted that the petitioners have filed a criminal case under Section 138 of the Negotiable Instruments Act and the same is pending.

5.The learned counsel on either side submitted that in view of the above facts, the Civil Revision Petition may be closed.

6.In view of the submissions made by the learned counsel on either side, the Civil Revision Petition is closed. However, the closure of the Civil Revision Petition shall not stand in the way of the petitioners prosecuting the criminal case filed under Section 138 of the Negotiable Instruments Act. No costs. Consequently, the connected miscellaneous petition is closed.

Index : No
Internet : Yes
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23.09.2019

To

1.The IX Assistant City Civil Court, Chennai

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M.DURAIWAMY,J.

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