

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2019

CORAM:

THE HONOURABLE Mr.JUSTICE R.SURESH KUMAR

C.R.P.(PD) No.3525 of 2019 and
C.M.P.No.23109 of 2019

Harsha

... Petitioner

Vs.

1.P.Sivasamy

R.Senbagavalli (Died)

2.R.Devi @ Sarala Devi

3.G.Selvaraj

4.R.Srinivasan

5.Sree Valli

... Respondents

Prayer: Petition filed under Article 227 of the Constitution of India
praying to struck off the plaint in O.S.No.425 of 2015 pending on the
file of the learned 1st Additional District Judge, Coimbatore.

For Petitioners : Mr.S.Venkatesh

ORDER

The learned counsel appearing for the petitioner, in view of the
law laid down by the Hon'ble Supreme Court in the recent judgment
reported in **(2019) 5 CTC 696** in the matter of **Virudhunagar Hindu**

Nadargal Dharma Parbalana and others V. Tuticorin Educational Society and others, wants to withdraw this civil revision petition, with a liberty to agitate the issue raised herein before the Court below, by filing appropriate application under Order VII Rule 11 C.P.C.

2.The said statement of the learned counsel is recorded. Accordingly, this Civil Revision Petition is dismissed as withdrawn with the aforesaid liberty, with further observation that, once such application is filed by the revision petitioner, the same shall be decided at the earliest by the trial Court, by giving opportunity to both sides, as the preliminary issue before proceed further in the suit. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sgl

01.11.2019

Note:

Issue order copy on 04.11.2019

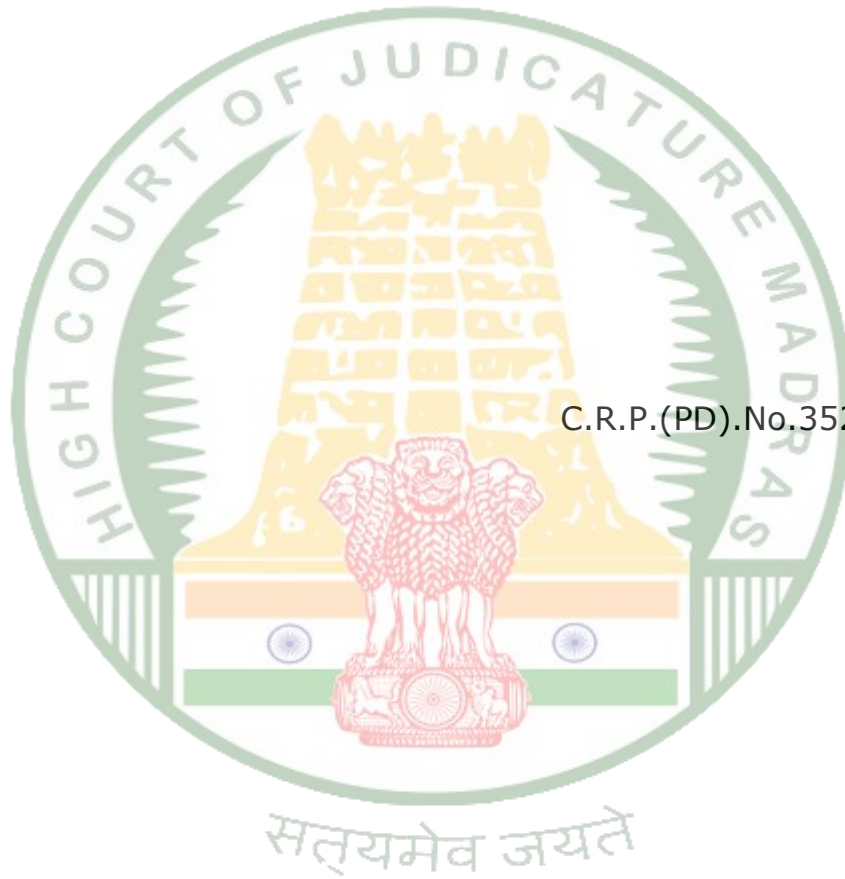
To

The 1st Additional District Court,
Coimbatore.

2/3

C.R.P.(PD).No.3525 of 2019

R.SURESH KUMAR, J.
Sgl



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