

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.04.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(PD).No.4001 of 2017

and

C.M.P.No.18713 of 2017

1.Ranganathan
2.Manoharan

... Petitioners

-VS-

1.Sumathi
2.M.Manju
3.M.Rama
4.Chokkammal

... Respondents

PRAYER:

Civil Revision Petition filed under Section 227 of the Constitution of India, to set aside decreetal order in I.A.No.597 of 2015 in O.S.No.21 of 2013, on the file of the Principal Subordinate Judge, Chengalpattu, dated 10.08.2017.

For Petitioners : Mr.V.Lakshminarayanan

For Respondents : Mr.N.Manokaran
for Mr.P.Krishnan

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ORDER

The above Civil Revision Petition is filed challenging the non-speaking one line order, passed by the Principal Sub-ordinate Judge, Chengalpattu, in I.A.No.597 of 2015 in O.S.No.21 of 2013, which was

an application filed by the defendants for rejecting the plaint in O.S.No.21 of 2015. The learned Judge has simple passed the following order while dismissing the petition:

"Written argument was filed by both sides. The contents stated in the petition and counter are perused. Both sides arguments are considered. Considering all these aspects this Court's comes to a conclusion after letting both side evidence at the time of pronouncing the Judgment the real facts of the case to be known. Hence in the interest of justice this petition is dismissed."

2.From a reading of the order it is very clear that the contention of both the parties have not been taken into consideration by the Court below.

3.In view of the above, this Court is remitting back the said I.A.No.597 of 2015 in O.S.No.21 of 2013 for fresh consideration by the learned Principal Sub-ordinate Judge, Chengalpattu, who shall complete the exercise within a period of one month from the date of receipt of a copy of this order.

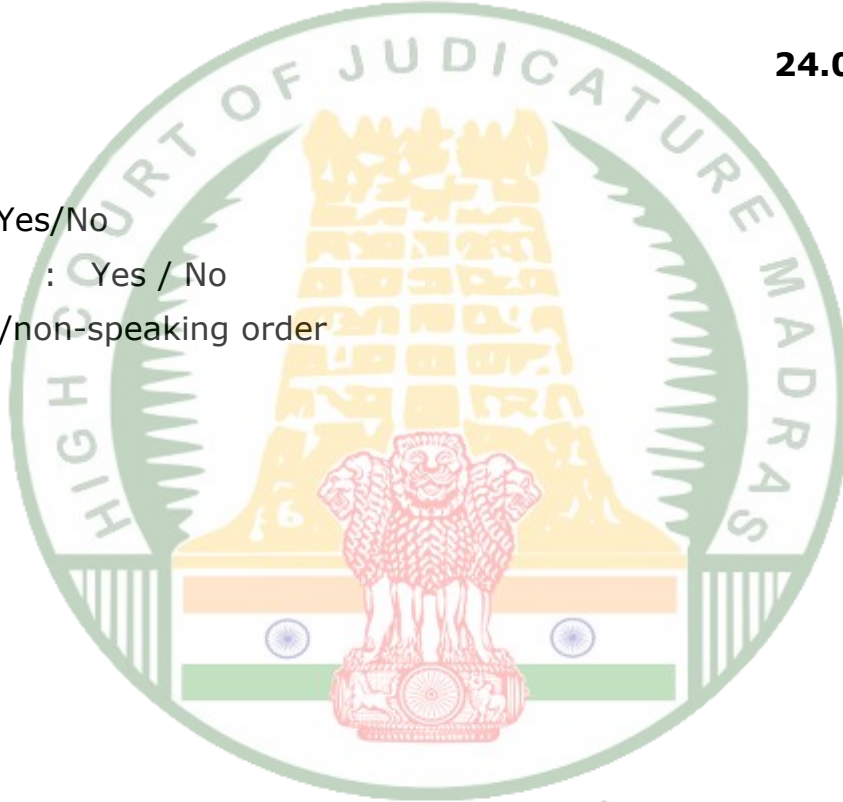
4.In the result, the Civil Revision Petition is allowed in the above terms. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

24.04.2019

Index: Yes/No

Internet : Yes / No

Speaking/non-speaking order
tsg

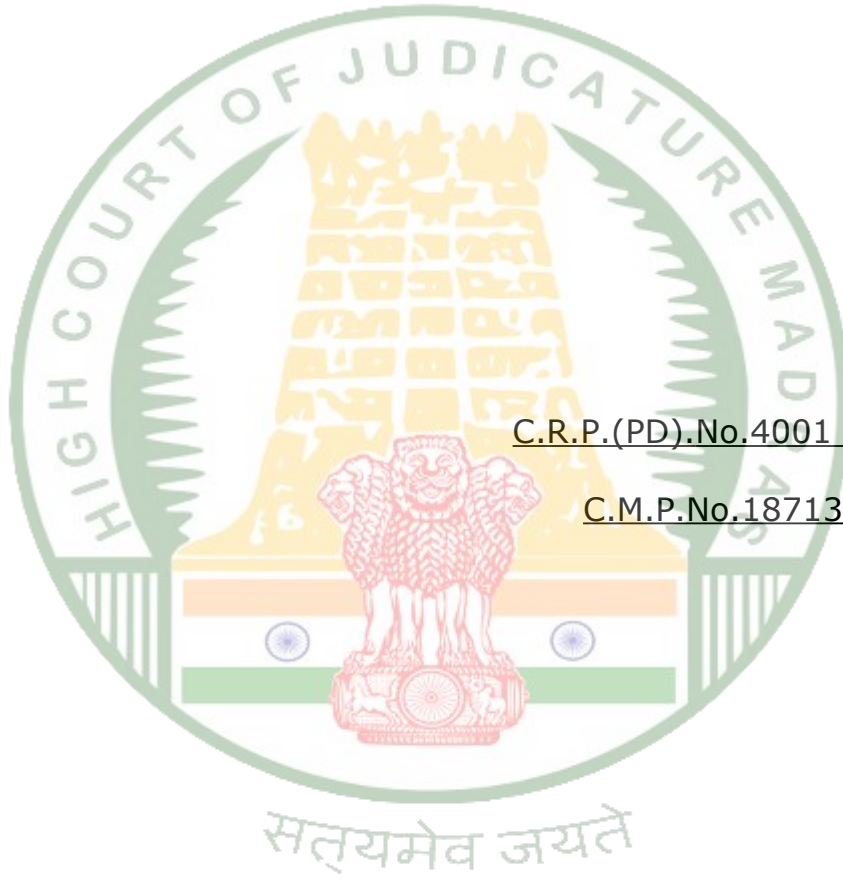


To

Learned Principal Subordinate Judge,
Chengalpattu.

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P.T.ASHA.J.,
tsg



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