

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 28TH DAY OF JANUARY 2020

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

A.No.3825 of 2016

in

C.S.No.475 of 2013

Ansari Estate Pvt.Ltd
2/1, Riverside Road,
Egmore, Chennai- 600 008
Represented by its Managing Director,
Mr.N.M.Mohammed Thameemul Ansari

..Plaintiff

vs

Mahadevan
No.24, West Park Street,
Next to Shenoy Nagar,
Chennai- 600 030

..Defendant

A.No.3825 of 2016:

Mahadevan
No.24, West Park Street,
Next to Shenoy Nagar,
Chennai- 600 030

..Applicant/Defendant

vs

Ansari Estate Pvt.Ltd
2/1, Riverside Road,
Egmore, Chennai- 600 008
Represented by its Managing Director,
Mr.N.M.Mohammed Thameemul Ansari

..Respondent/Plaintiff

Application praying that this Hon'ble Court be pleased to reject the plaint under ORDER 7 RULE 11 of CPC.

This Suit along with Application coming on this day before this Court for hearing, the Court made the following order:

The suit is of the year 2013. After three years, the defendant has taken out this application to reject the plaint under Order VII, Rule 11(a) of CPC. This application is pending for nearly 3 years. Meanwhile, the Court has determined the jurisdiction as commercial dispute under the Commercial Courts Act and proceeded. At this juncture, an application to pass summary judgment of dismissing the present suit has been taken out by the defendant invoking the amended provision of the Civil Procedure Code under Order XIII A.

2. Having taken out the application to pass a summary judgment, this Court the view that the earlier application filed for rejecting the plaint is not sustainable. Hence, application to reject the plaint (A.No.3825 of 2016) is closed. The parties are directed to agitate the application in A.No.344 of 2020 before proceeding further. Call the matter on 03.03.2020.

Sd./-G.J.J

28.01.2020

//Certified to be true copy//

Dated at Madras this the day of 2020.

JJ 30/01/2020

COURT OFFICER(O.S.)

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