

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2020

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

C.R.P (PD) No.2592 of 2019
and C.M.P.No.17076 of 2019

Pushpalatha

... Petitioner

Vs.

Central Bank of India,
Represented by its Branch Manager,
Kooteripattu Village,
Tindivanam Taluk,
Villupuram District.

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 26.09.2018 passed in I.A.No.155 of 2018 in O.S.No.74 of 2015 on the file of the Additional Subordinate Judge, Tindivanam and there by allow this Civil Revision Petition.

For Petitioner : Mr.S.Madhar Khan
For Respondent : Mr.M.L.Ganesh

ORDER

The Civil Revision Petition is directed against an order allowing the application filed under Order VII Rule 11 of Civil Procedure Code for rejection of plaint.

2. Admittedly, the order passed under Order VII Rule 11 of Civil Procedure Code rejecting the plaint is an appealable order and the order is construed as a decree in the suit. Instead of preferring the appeal, the petitioner has approached this Court by way of the present revision after the expiry of period of limitation.

3. The learned counsel for the petitioner would submit that he will advise the petitioner to file an appeal before the appellate Court against the decree passed by the trial Court dated 26.09.2018 subject to limitation. However, it is observed that the period spent in this revision can be excluded while preferring the appeal.

With these observations, this Civil Revision Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

29.09.2020

ms/asi

To

The Additional Subordinate Judge,
Tindivanam.

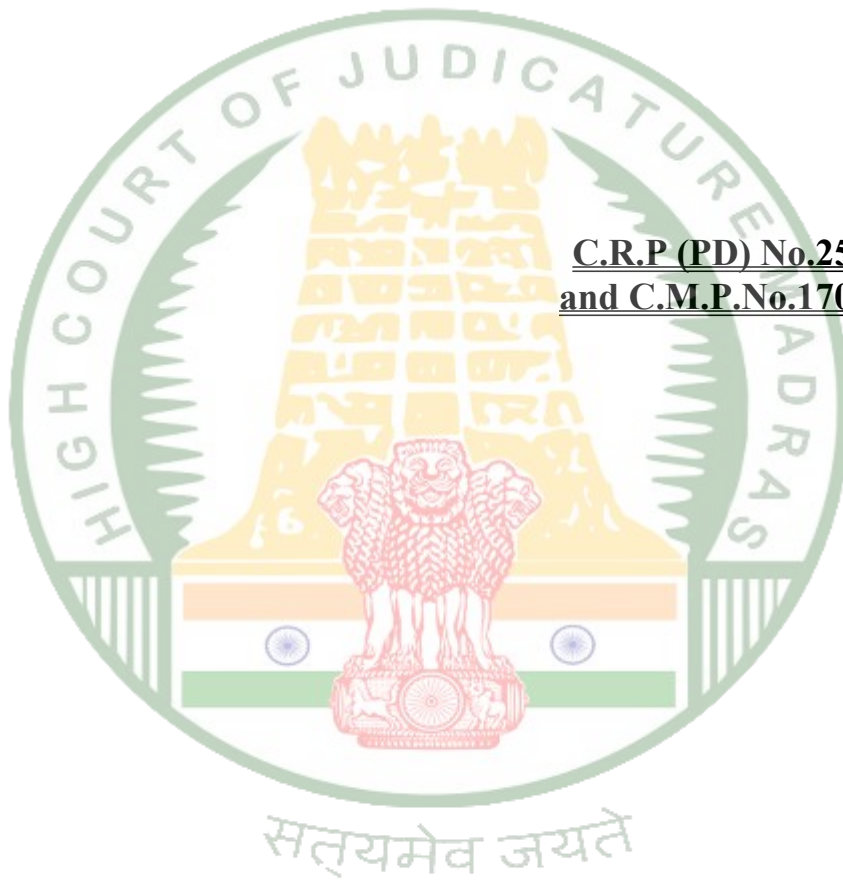


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M.GOVINDARAJ, J.

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