



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2020

CORAM:

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

C.R.P. (PD) (MD)No.424 of 2020

V.Rayar Panidurai

... Petitioner/Plaintiff

vs.

1.S.Chenthazir

2.Vignesh Shanmuganathan

3.Praveenkumar Pandian

... Respondents/Defendants

PRAYER: This Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records pertaining to unnumbered plaint filed in G.L.No.179 of 2019 on the file of the Principal District Judge, Tirunelveli, dated 03.06.2019 and set aside the same.

For Petitioner : Mr.S.Velrajan

ORDER

This civil revision petition is filed challenging against the order dated 03.06.2019 passed by the Principal District Judge, Tirunelveli, in G.L.No.179 of 2019.

2.On a perusal of the records, it is seen that the trial Court has rejected the plaint on the ground that the plaint is barred by limitation and the definition of decree itself includes the rejection of a plaint. If any plaint is rejected, regular appeal will lie. Instead of availing such remedy, the petitioner cannot rush to this Court by way of filing the present civil revision petition.

3.At this juncture, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw this civil revision petition with liberty to file regular appeal and he has also made an endorsement to that effect.

4.In view of the endorsement made by the learned counsel for the petitioner, this Civil Revision Petition is dismissed as withdrawn. No costs. However, liberty is granted to the petitioner



to file an appeal before the appropriate forum, in the manner known to law.

Sd/-

Assistant Registrar ()

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/ /2020

Sub Assistant Registrar(CS)

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To

The Principal District Judge,
Tirunelveli.

COPY TO:

1.The Record Keeper,
VR Section,(2 Copies)
Madurai Bench of Madras High Court, Madurai.

2.The Section Officer,
E.R.Section,
Madurai Bench of Madras High Court, Madurai.
**(To return the original impugned order to the
learned counsel for the petitioner, after
substituting the same)**

+1 CC to M/s.S.VELRAJAN, Advocate (SR-11204[F] dated 11/03/2020)

C.R.P. (PD) (MD)No.424 of 2020
09.03.2020

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TK/SAR./18.03.2020/2P/6C