



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2020

CORAM

THE HON'BLE MR.JUSTICE **S.S.SUNDAR**

C.R.P (PD) (MD)No.1355 of 2015

Abdul Majeed : Petitioner/Petitioner/1st Defendant
.. Vs ..

1.S.N.Mohammed Hanifa

2.Jarina Begam : 1st and 2nd Respondent/
1st and 2nd Respondent/Plaintiffs

3.Jamila Begum

4.Sheik Abdullah

5.Sheik Mytheen

6.Sakubarbanu

7.Salha Begum

8.Sheik Ismail

: Respondents 3 to 3/
Respondents 3 to 8/Defendants 2 to 7

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and decretal order dated 13.03.2015 in I.A.No.48 of 2013 in O.S.No.63 of 2012 on the file of Principal District Judge, Pudukkottai, by allowing this Civil Revision Petition.

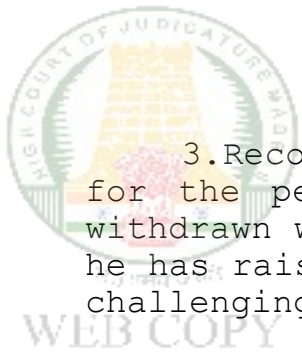
For Petitioner : Mr.N.Balakrishnan
For Respondent 2 : Mr.P.Venkatasubramanian
For Respondent 4 : Mr.B.Jameel Arasu
For Respondents : No appearance
1, 3, 5 to 8

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ORDER

Learned Counsel appearing for the petitioner seeks permission of this Court to withdraw this Civil Revision Petition. However, he wants this Court to reserve the rights of the petitioner to raise all the points he has raised in this Civil Revision Petition at the time of trial.

2.This Civil Revision Petition is directed against the order dismissing the petition filed by the revision petitioner under Order 7, Rule 11 C.P.C. to reject the plaint filed in the suit in O.S.No.63 of 2012 on the file of the Principal District Judge, Pudukkottai. The learned Counsel appearing for the petitioner admits that the trial is almost completed and that witnesses have been examined. Hence, he made a request before this Court to permit the petitioner to withdraw this Civil Revision Petition with liberty to raise all the objections he has raised in this Civil Revision Petition before the trial Court challenging the sustainability of the suit.



3. Recording the statement made by the learned Counsel appearing for the petitioner, this Civil Revision Petition is dismissed as withdrawn with liberty to the petitioner to raise all the objections he has raised in this Civil Revision Petition before the trial Court challenging the sustainability of the suit. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

To
The Principal District Court,
Pudukkottai.

Copy to:
The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.(2 Copies)

+1 CC to M/s.K.GOWTHAM, Advocate (SR-13217[F] dated 24/07/2020)

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KK(29.07.2020) 2P 5C