

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 20.4.2021.

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

C.R.P. (PD) No.300 of 2019

and

C.M.P.No.2239 of 2019

1. N.Indra

2. P.Natarajan

Petitioners

vs.

G.Manoj Kumar

Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against to strike off the plaint in O.S.No.266 of 2019 on the file of the XII Assistant City Civil Court, Chennai.

For Petitioners : Ms.Dakshayani Reddy

For Respondents : Mr.M.Rajasekhar

ORDER

The revision petition has been filed under Article 227 of the Constitution of India questioning the pendency of O.S.No.266 of 2017 which is now pending on the file of the XII Assistant City Civil Court Chennai.

2. Heard Ms.Dakshayani Reddy, learned counsel or the petitioners and Mr.M.Rajasekhar, learned counsel for the respondent.

3. The petitioners are defendants in the suit.

4. I am not invited to go into the facts stated in the revision petition particularly since, very appreciably, the learned counsel for the parties in unison submitted that they intend to proceed with the Trial before the learned Judge to adjudicate the issue on merits and on analysis of evidence to be advanced. It is also stated by the learned counsel for the parties that the pleadings have been completed and evidence have to be let in. Therefore, I am confident that both the plaintiff and the defendants in the suit would have opportunity to substantiate their respective submissions in the plaint and written statement and would also subject themselves to cross-examination to enable the Trial Court to decide the case in accordance with law.

5. With the said observation, the revision petition is disposed of with a direction to the learned XII Assistant Judge, City Civil Court, Chennai to conduct trial without giving any leverage for grant of adjournments and I am also confident that the parties would participate in the trial proceedings.

6. I am informed that there is already a direction that O.S.No.266 of 2019 from which the present civil revision petition has arisen has to be tried jointly with O.S.No.647 of 2018 filed by the

defendants in O.S.No.266 of 2019.

7. The learned Judge may keep that direction in mind and conduct the trial accordingly. No further direction is required in this regard. No costs. The connected Miscellaneous Petition is closed.

20.4.2021.

Index: Yes/No.
Internet: Yes/No.
ssk.

To

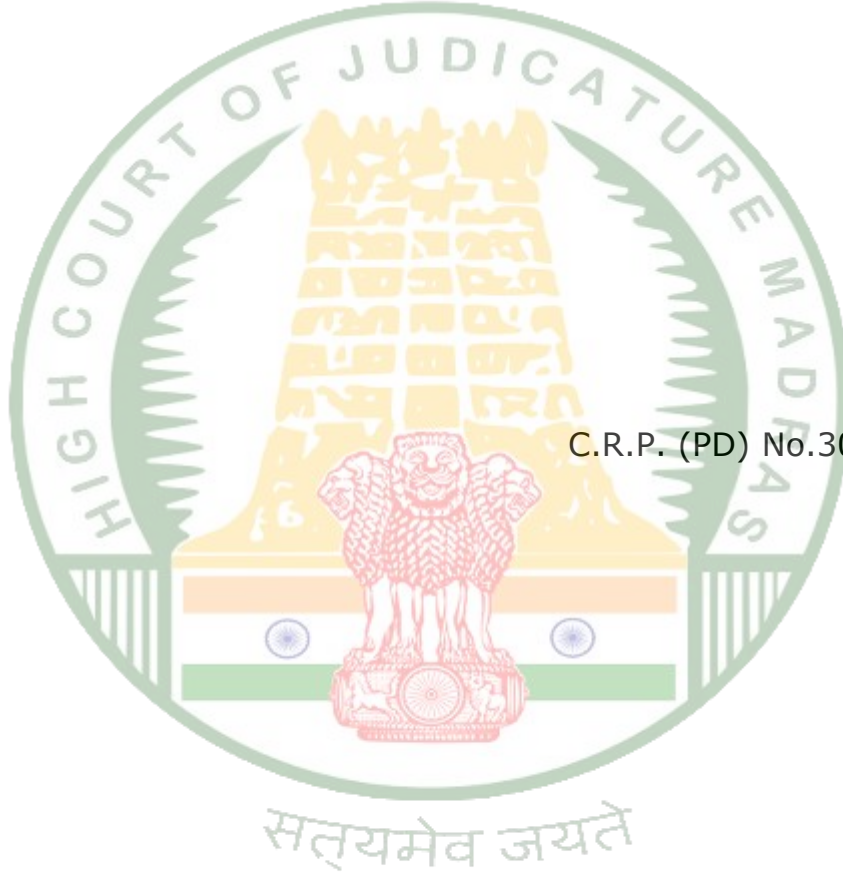
XII Assistant City Civil Court,
Chennai.



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C.V.KARTHIKEYAN, J.

Ssk.



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