

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

C.R.P.(PD) No.2542 of 2018
and C.M.P.No.15435 of 2018

Shanthi Anand Kumar

... Petitioner

Vs

1.M/s.Tipstech Private Limited,
Having its registered Office at
S.F.No.361-1A3, Karavallur Road,
MGC Palayam, Coimbatore - 641 107.

2.A.Ashok Kumar
3.S.Narayanan
4.A.Chockalingam

5.M/s.Tips Global Institute,
Company incorporated
U/s.25 of the Companies Act, 1956,
S.F.No.361-1A3, Karavallur Road,
MGC Palayam, Coimbatore - 641 107.

6.Anand Kumar

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, against the Order dated 07.11.2017 passed in I.A.No.477 of 2017 in O.S.No.219 of 2017 on the file of First Additional District Judge, Coimbatore.

For Petitioner : Mr.M.Sriram

For Respondents : Mr.K.M.D.Muhilan for R1 to R5
Ms.S.Magarani for R6

ORDER

This Civil Revision Petition is filed against the Order dated 07.11.2017 passed in I.A.No.477 of 2017 in O.S.No.219 of 2017 on the file of First Additional District Judge, Coimbatore, thereby dismissing the petition for rejection of plaint.

2. The petitioner is the first defendant and the respondents 1 to 5 are the plaintiffs in the said suit. The respondents 1 to 5 / plaintiffs filed the said suit for specific performance with an alternative prayer to direct the first defendant to pay a sum of Rs.2,12,85,000/- towards compensation.

3. The learned counsel for the petitioner would submit that the property itself is not available for specific performance. Though the property is not available for specific performance, respondents 1 to 5 filed the said suit for other reliefs also and an alternative relief for payment of compensation.

4. Therefore, all the grounds raised by the petitioner have to be decided only by letting in evidence before the Court below. Therefore, this Court finds no infirmity or illegality in the orders passed by the Court below.

5. However, the learned counsel for the petitioner would submit that the subsequent events have taken place and as such, he sought for liberty to file a fresh application for rejection of plaint.

6. Considering the above request, the petitioner is at liberty to file a fresh application for rejection of plaint based on subsequent events.

5. Accordingly, this Civil Revision Petition is dismissed.
Consequently, the connected miscellaneous petition is dismissed. No order
as to costs.

07.07.2021

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
rna

To

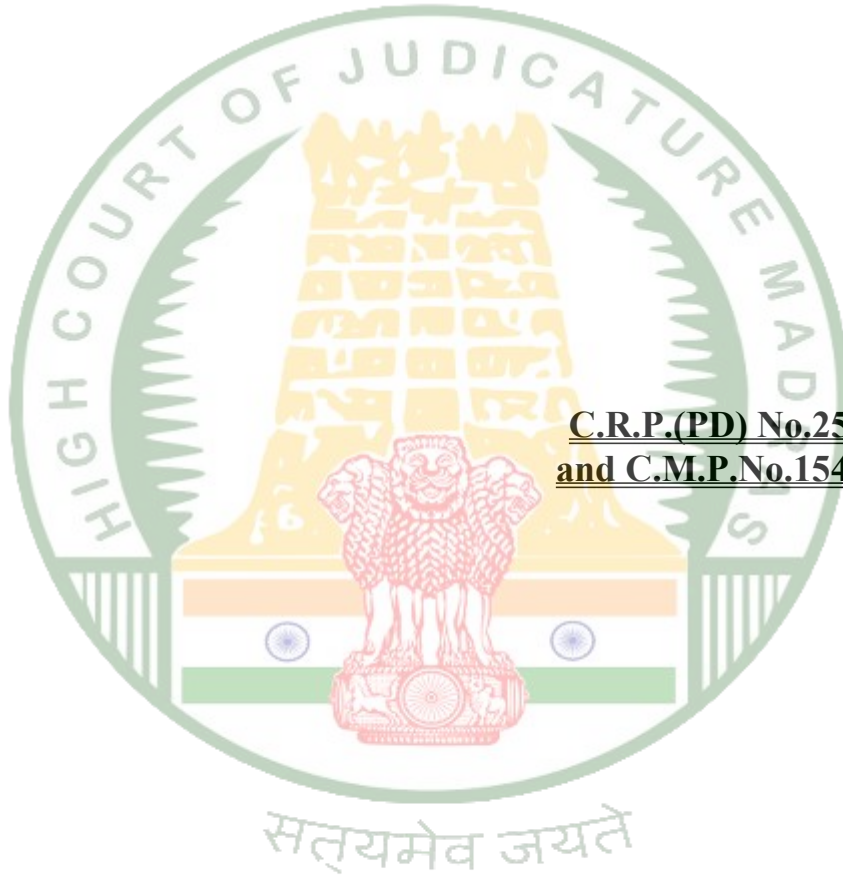
The First Additional District Judge,
Coimbatore.



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G.K.ILANTHIRAIYAN. J,

rna



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