

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.PD.No.362 of 2018

and

CMP.No.1898 of 2018

Victor Immanuel

..Petitioner

Vs.

1.The National Director,
World Vision of India,
No.16, VOC Main Road,
Kodambakkam,
Chennai-24

2.S.P.Nagarajan

..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the judgment and decree passed by the IV Assistant City Civil Court, Chennai in IA.No.7009 of 2017 in OS.No.254 of 2014 dated 27.10.2017.

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For Petitioner : Mr.K.Thilageswaran

For Respondents

For R1 : Mr.Vijayan
for M/s.King & Partridge
R2 : no appearance

ORDER

This Civil Revision Petition is filed against the judgment and decree passed by the IV Assistant City Civil Court, Chennai in IA.No.7009 of 2017 in OS.No.254 of 2014 dated 27.10.2017, thereby dismissing the petition seeking amendment of the plaint.

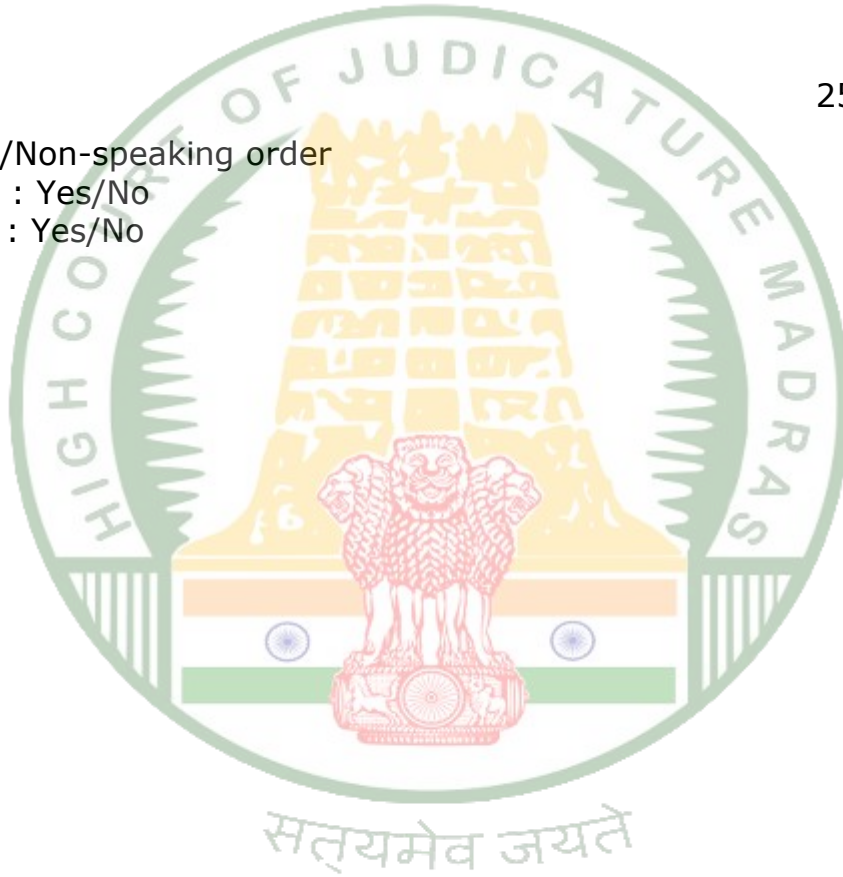
2. The petitioner is the plaintiff and the respondents are the defendants. Originally, the petitioner filed suit challenging the report submitted by the Enquiry Officer and the show cause notice issued on the basis of the enquiry report. While pending the suit, the respondents passed termination order on the basis of the Enquiry Officer's report. Therefore, the petitioner was allowed to amend the plaint to challenge the termination order and deleted the prayer challenging the Enquiry Officer's report. Once again, the petitioner filed amendment petition to include the prayer challenging the Enquiry Officer's report.

3. It is made clear that once the final order passed on the basis of the Enquiry Officer's report, it merges with the final order. If the final order is set aside, the basis for passing final order also goes. Therefore, the petitioner need not challenge the Enquiry Officer's report.

4. With the above said clarification, the civil revision petition is disposed of. The court below is directed to dispose of the suit within a period of six months from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed. No order as to costs.

25.06.2021

Speaking/Non-speaking order
Index : Yes/No
Internet : Yes/No
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G.K.ILANTHIRAIYAN,J.

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To

The IV Assistant Judge,
City Civil Court, Chennai



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