



C.R.P(PD)No.2263 of 2021
and CMP.No.17158 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P(PD)No. 2263 of 2021

and

CMP.No.17158 of 2021

1.A.Preethi

2.A.Aarthi

..Petitioners

Vs.

1.S.Jayalakshmi

2.S.Suseela

3.V.Meenakshi

4.S.Manjula

5.The Branch Manager,

Bank of Baroda,

#3, Bakthavatchalam Street,

Tambaram, Chennai – 600 045.

..Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, seeking to strike off the plaint in OS.No.268 of 2020 pending on the file of the Additional District & Sessions Judge, Chengalpattu.

For Petitioners : Mrs.C.R.Rukmani



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ORDER

The petitioners seek striking out the plaint in OS.No.268 of 2020 on the ground it is a re-litigation. I do not think, I can entertain a revision under Article 227 for striking off the plaint as a remedy by way of an application under Order VII Rule 11 is available.

2.The Hon'ble Supreme Court in **Virudhunagar Hindu Nadargal Dharma Paribalana Sabai & Others Vs. Tuticorin Educational Society & Others** reported in **2019 (9) SCC 538** has held that the High Courts should not, as a matter of prudence, entertain revisions under Article 227, when an alternative remedy is available under the Code of Civil Procedure. Hence, this civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed. The dismissal of this revision shall not however, preclude the petitioners from seeking appropriate remedy under Order VII Rule 11 before the Trial Court.

22.11.2021

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Index:Yes/No
Internet:Yes/No

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Speaking / Non-speaking order

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To:-

The Additional District & Sessions Court,
Chengalpattu.



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R.SUBRAMANIAN, J.

KKN

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