

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2021

CORAM

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

CRP.PD.No.6 of 2014
and MP.No.1 of 2014

The Madras Race Club,
Rep. by its Additional Secretary,
Guindy, Chennai-600 032

..Petitioner

Vs.

- 1.Jayapoorna Chandra Rao
- Aruna Devi (deceased)
- 2.Jagannatha Pandian
- 3.Jayasimha Pandian
- 4.Gopal
- 5.Bay Oriental Reality Pvt.Ltd.
Rep. by its Director,
Dr.Saleem Ibrahim Brothers,
College Road,
Chennai 600 006
- 6.Sri Venkatasachalpathy Nagar
Welfare Association,
Vadapalani Andavar Street,
Valasaravakkam,
- 7.Salsan Chemical Limited,
21, Gopala Krishna Road,
T.Nagar, Chennai 600 017
- 8.Jayashima Enterprises,
Proprietorship Firm,
Rep. by Jayashima Pandian,
No.1, Subramaniam Street,
Abiramapuram
Chennai 600 028
- 9.Saleem Ibrahim Firdouse
- 10.Bahim Ibrahim Safari

..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India praying to set aside the order dated 20.08.2013 passed in TROP.No.234 of 2012 by the Principal Judge, City Civil Court, Chennai.

For Petitioner : Mr.L.Dhamodaran

For Respondents

For R5&10 : Mr.Vaibhav R.Venkatesh
for Mr.Nithyaesh & Vaibhav

R2 & 3 : No Appearance

R1,4,6,7,8 : disd vide court order
dated 31.07.2018

ORDER

This civil revision petition is arising out of order dated 20.08.2013 passed in TROP.No.234 of 2012 by the Principal Judge, City Civil Court, Chennai thereby ordered for transfer of suits and rejected the request for joint trial.

2. The learned counsels represented on behalf of the respondents have no objection for joint instead of simultaneous trial in OS.No.6039 of 2003 and O.S.No.11761 of 2010 on the file of the XVII Additional Judge, Fast Track Court No.III, Chennai.

3. On perusal of the order passed by the court below, while allowing transfer petition and thereby ordered transfer of suit in OS.No.6039 of 2003 on the file of VII Assistant City Civil Court, Chennai was withdrawn and transferred the same to the file of XVII Additional Judge, Fast Track Court No.III, Chennai and ordered for simultaneous trial along with OS.No.11761 of 2010 and refused the request of joint trial.

4. In view of the above, this civil revision petition is allowed and the XVII Additional Judge, Fast Track Court No.III, Chennai is directed to conduct joint trial in both the suits in OS.No.6039 of 2003 and OS.No.11761 of 2010 and complete the same within a period of six months from the date of receipt of copy of this order. The parties concerned are directed to file necessary petition to implead the deceased parties before the trial court. Consequently, connected miscellaneous petition is closed. No order as to costs.

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Speaking/Non-speaking order
Index : Yes/No
Internet : Yes/No
lok

G.K.ILANTHIRAIYAN,J.

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To

- 1.The Principal Judge, City Civil Court,
Chennai.
2. The XVII Additional Judge,
Fast Track Court No.III, Chennai



CRP.PD.No.6 of 2014

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