



WEB COPY



CRP (PD) No. 2777 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.12.2021**

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN**

**CRP (PD) No.2777 of 2021**

**and**

**CMP No.20187 of 2021**

R.Thiruvankadam

... Petitioner/Respondent

**Vs**

M.Karthiga

... Respondent/Petitioner

**PRAYER:** Civil Revision Petition filed under Article 227 of the Constitution of India to reject the petition by strike out pleadings in petition filed along within G.W.O.P.No. 134 of 2020 on the file of the Hon'ble Principal District Court, Vellore, as the petition is devoid of merits and a frivolous fictitious one on the file of the Hon'ble Principal District Court, Vellore.

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For Petitioner : Mr. M.Velmurugan

**ORDER**

The respondent in G.W.O.P.No. 134 of 2020 on the file of the



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Principal District Court, Vellore, has come up with this Revision invoking the supervisory jurisdiction under Article 227 of the Constitution of India seeking to reject the petition in the said GWOP.

2. Though several grounds have been urged, I do not entertain this Revision in view of the Judgment of the Hon'ble Supreme Court in **2019 9 SCC 538 ( Virudhunagar Hindu Nadargal Dharma Paribalana Sabai & Ors. Vs. Tuticorin Educational Society & Ors)**, wherein the Hon'ble Supreme Court has pointed out that exercise of power under Article 226 of the Constitution of India should be avoided as a matter of discipline and prudence when a remedy under the Civil Procedure is available.

3. In view of the same, this Civil Revision Petition is dismissed with liberty to the petitioner to move the District Court seeking rejection. No costs. Consequently, connected Miscellaneous Petition is closed.

**Vsg**

**09.12.2021**

Index: Yes/No

Speaking order / Non speaking order

To:

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1. District Court, Vellore.  
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2. The Section Officer,  
VR Section,  
Madras High Court, Chennai.



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**R.SUBRAMANIAN, J.**

Vsg

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