

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD).No.3206 of 2017

and

C.M.P.No.14967 of 2017

Lalitha

.. Petitioner

Vs.

1.K.Pushpa

2.Vikram

3.The Manager,
Stock Holding Corporation of India Limited,
Centre Point, Unit No.301, 3rd Floor,
Dr.Ambedkar Road, Parel,
Mumbai having branch office at Chennai.

4.The Manager,
Rural Electrification Corporation Limited,
Core-4, SCOPE Complex, सत्यमेव जयते
7, Lodhi Road,
New Delhi – 110 003 and No.12 & 13, T.N.H.B. Complex,
Luz Church Road, Mylapore,
Chennai – 600 004.

5.The Manager,
Punjab National Bank,
21, Raja Annamalai Road,
Purasawalkam,
Chennai – 600 084.

6.The Manager,
City Union Bank Limited,
Near Tiruvateeswarar Temple,
Triplicane,
Chennai – 600 005.

7.The Post Master,
Post Office,
Opp. Muslim High School,
Triplicane High Road,
Chennai – 600 005.

8.The Manager,
Dena Bank,
105, Near Sarmani Hotel,
G.P.Road, Mount Road,
Chennai – 600 002.

.. Respondents

(RR 3 to 8 given up)

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decretal order dated 28.04.2017 made in Tr.O.P.No.165 of 2016 on the file of the Principal City Civil Court, Chennai.

For Petitioner : Ms.JayasudhaSuryanarayanan
for Mr.G.Surya Narayanan

For RR 1 & 2 : Mr.Ravichandran Sundaresan

For RR 3 to 8 : Given up

ORDER

(The matter is heard through “Video Conferencing/Hybrid Mode”).

This Civil Revision Petition is filed against the fair and decretal order dated 28.04.2017 made in Tr.O.P.No.165 of 2016 on the file of the Principal

City Civil Court, Chennai.

2.The petitioner who is the plaintiff in O.S.No.3681 of 2014 on the file of the VII Assistant City Civil Court, Chennai has filed the present Civil Revision Petition challenging the order dated 28.04.2017 allowing the Tr.O.P.No.165 of 2016 transferring the O.S.No.3681 of 2014 pending on the file of VII Assistant City Civil Court to XIX Additional City Civil Court, Chennai to be tried along with O.S.No.5018 of 2014 filed by the 1st respondent.

3.When the Civil Revision Petition was taken up for hearing, the learned counsel appearing for the petitioner submitted that as per the order in Tr.O.P.No.165 of 2016, O.S.No.3681 of 2014 was already transferred to the file of XIX Additional City Civil Court, Chennai and further submitted that the O.P. filed by the petitioner for succession certificate in this Court is ordered in her favour. In view of the same, she is not opposing the impugned order transferring O.S.No.3681 of 2014 pending on the file of VII Assistant City Civil Court to XIX Additional City Civil Court, Chennai. The petitioner is aggrieved by the finding of the learned Judge at Paragraph No.8 of the impugned order, “both the claims of the petitioner and 1st respondent in their

respective suits are derived upon their Father”. The learned counsel prayed for deleting the said finding and that petitioner is not pressing the present Civil Revision Petition. The learned counsel appearing for the petitioner further submitted that in view of the succession certificate obtained in O.P., the petitioner is going to withdraw O.S.No.3681 of 2014 filed by her. In view of the above submission, the learned XIX Additional Judge, City Civil Court, Chennai is directed to permit the petitioner to withdraw the suit in O.S.No.3681 of 2014 filed by her and to dispose of the suit in O.S.No.5018 of 2014 filed by the 1st respondent as expeditiously as possible without being influenced by the order passed in Tr.O.P.No.165 of 2016.

4.The Civil Revision Petition is disposed of with the above directions. Consequently, the connected Miscellaneous Petition is closed. No costs.

सत्यमेव जयते

03.09.2021

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Index : Yes / No
Internet : Yes / No

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To

1.The Learned Principal Judge,
City Civil Court,
Chennai.

2.The Learned XIX Additional Judge,
City Civil Court,
Chennai



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V.M.VELUMANI, J.

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C.R.P.(PD).No.3206 of 2017

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