

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.07.2021**

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.(PD) No.3711 of 2018
and C.M.P.No.20633 of 2018

1.G.Ravikumar
2.N.Thanthoni

.... Petitioners

Vs

K.G.Lakshmi

.... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, against the Fair and Decreetal Order of the Learned Subordinate Judge, Kanchipuram dated 08.06.2016 in I.A.No.886 of 2015 in O.S.No.14 of 2015.

For Petitioners : Mr.S.Saravanakumar

For Respondent : M/s.S.Thamizharasi

ORDER

This Civil Revision Petition is filed against the Fair and Decretal Order of the Learned Subordinate Judge, Kanchipuram dated 08.06.2016 in I.A.No.886 of 2015 in O.S.No.14 of 2015, thereby allowed the petition to frame preliminary issues in respect of valuation of the suit property.

2. The petitioners are the plaintiffs and the respondent is the second defendant in O.S.No.14 of 2015. The petitioners filed a suit for declaration and consequential injunction in respect of the suit property.

3. While pending the suit, the petitioners herein filed a petition for rejection of plaint in I.A.No.706 of 2015 and it is pending. While pending the petition for rejection of plaint, the petitioners herein filed a petition to direct the petitioners to value the suit property and frame the correct preliminary issues. Considering the said petition, the Court below rightly framed the preliminary issues as to whether the plaintiffs properly valued the suit and paid appropriate Court fee.

4. However, the learned counsel for the petitioners would submit that when the second defendant / respondent filed a petition for rejection of plaint on the very same ground and the same is very much pending the present Civil Revision Petition is filed. Considering the said submission, this Court finds no infirmity or illegality in the orders passed by the Court below.

5. Accordingly, this Civil Revision Petition is dismissed. No order as to costs. However, the Trial Court is directed to close the petition for rejection of plaint in I.A.No.706 of 2015 and proceed with the preliminary issues. Consequently, the connected miscellaneous petition is closed.

02.07.2021

Internet:Yes

Index:Yes/No

Speaking/Non speaking order

rna

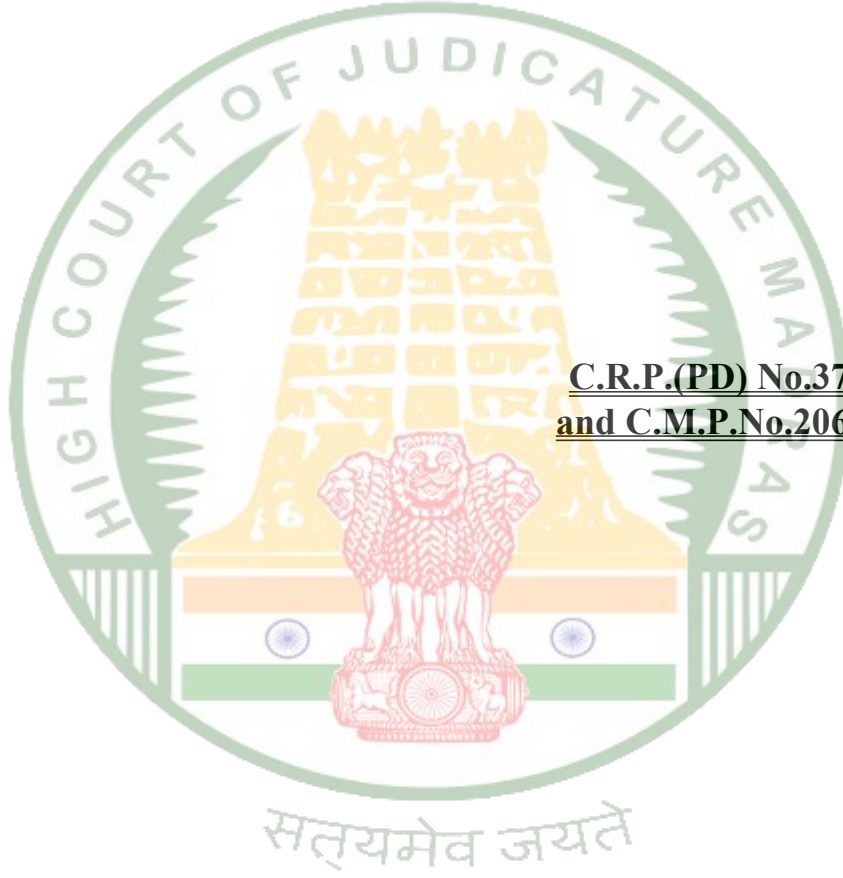
To

The learned Subordinate Judge,
Kanchipuram.

C.R.P.(PD) No.3711 of 2018

G.K.ILANTHIRAIYAN. J,

rna



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