

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2021

CORAM

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

C.R.P.(PD)No.3875 of 2018
and C.M.P.No.21579 of 2018

R.Gnanadesigan Petitioner

Vs.

1. K.Balaboopathy
 2. The Special Commissioner &
Commissioner of Urban Land Ceiling,
Chepauk, Chennai – 5.
 3. The Assistant Commissioner,
Urban Land Ceiling,
No.153, Karuneegar Street,
Adambakkam, Chennai - 88
- ... Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the judgment and decree dated 11.06.2018 passed in I.A.No.220 of 2018 in O.S.No.75 of 2011 on the file of the learned Subordinate Judge, Poonamallee.

For Petitioner : Mr.N.R.R.Arun Natarajan

For Respondents

For R2 & R3 : Mr.A.E.Ravi Chandran
Government Advocate (CS)

ORDER

This Civil Revision Petition is directed as against order dated 11.06.2018 passed by the learned Subordinate Judge, Poonamallee in I.A.No.220 of 2018 in O.S.No.75 of 2011, thereby dismissing the petition to reject the plaint.

2. On perusal of records revealed that, when the case was listed for admission on 06.12.2018, the learned counsel appearing for the petitioner sought adjournment. Accordingly, the matter was adjourned to 10.12.2018. Thereafter, the learned counsel appearing for the petitioner did not take any steps to list the case even for admission and it is pending for the past three years. Again on 12.03.2021, when the matter was taken up, at the request of the learned counsel appearing for the petitioner, the matter was adjourned to 07.04.2021. Thereafter on three occasions, the case was adjourned at the request of the learned counsel appearing for the petitioner. Thus the Civil Revision Petition is pending for the past three years without even ordering notice.

3. That apart, the first respondent filed suit in O.S.No.75 of 2011 for delivery of possession in the year 2011. After the period of seven years, the petitioner filed the present petition for rejection of plaint in I.A.No.220 of 2018 under Order 7 Rule 11 of CPC. Therefore, the intention of the petitioner is to drag the suit proceedings and nothing else. The petitioner simply filed this Civil Revision Petition and kept the suit pending before the Court below for the past three years. Therefore, this Court is not inclined to entertain the present civil revision petition.

4. Accordingly, this Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

24.06.2021

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

rts

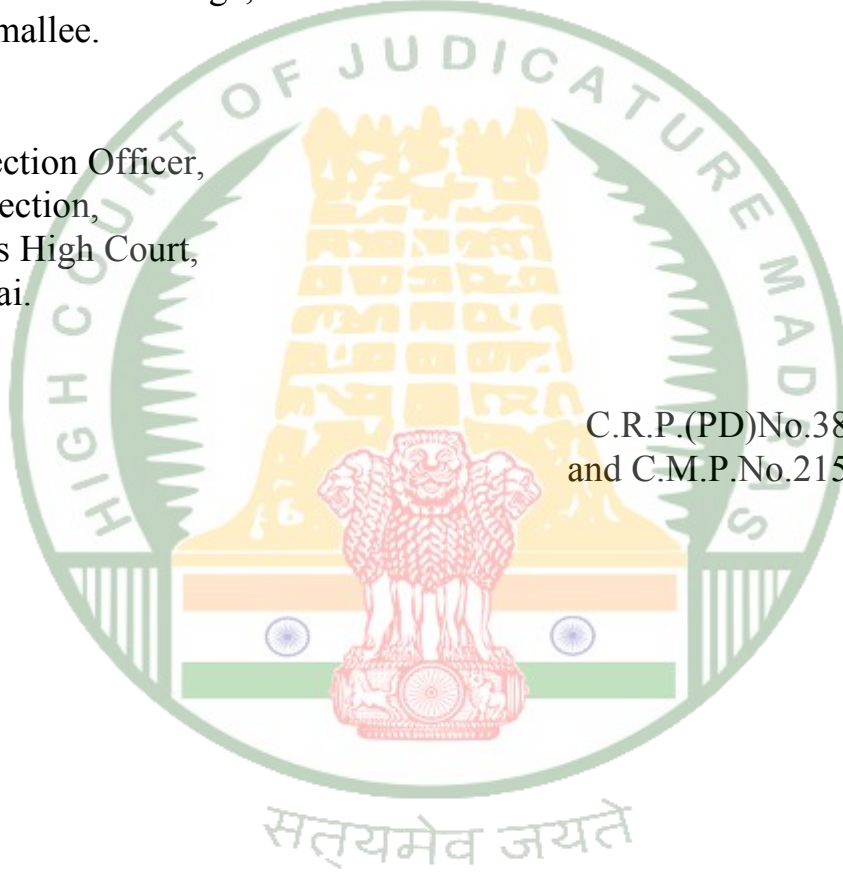
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G.K.ILANTHIRAIYAN, J.

rts

To

1. The Subordinate Judge,
Poonamallee.
2. The Section Officer,
V.R. Section,
Madras High Court,
Chennai.



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