



C.R.P.(NPD) Nos.302 & 304 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 21.04.2022

CORAM : JUSTICE N.SESHASAYEE

C.R.P.(NPD) Nos.302 & 304 of 2022
and C.M.P.Nos.1435, 1438 & 7048 of 2022

C.S.Sanjay Reddy

... Petitioner / Respondent / Plaintiff
(in both Revisions)

Vs.

1.Kennel Club of India

Rep by its Secretary C.V.Sudarsan
No.28, AA Block, I Street
Anna Nagar
Chennai – 600 040.

2.C.V.Sudarshan

Secretary cum Treasurer
Kennel Club of India
No.28, AA Block, I Street
Anna Nagar
Chennai – 600 040.

3.Gauri Nargolkar

4.Indian Kennel Gazette, (IKG)

No.28, AA Block, First Street
Anna Nagar, Chennai – 600 040.

... Respondents / Petitioners /

Defendants 1,3 to 5



C.R.P.(NPD) Nos.302 & 304 of 2022

5. The Chairman
Kennel Club of India
No.28, AA Block, First Street
Anna Nagar
Chennai – 600 040.

.. Respondent / 2nd Respondent /
2nd Defendant
(in both Revisions)

Common Prayer : Civil Revision Petitions filed under Article 227 of the Constitution of India, praying to set aside the judgment and decree dated 16.12.2021 made in I.A.No.7 of 2021 and I.A.No.8 of 2021 in O.S.No.7961 of 2021 passed by the II Assistant City Civil Court, Chennai.

For Petitioner : Mr.S.L.Sudarsanam
For Respondents : Ms.Mythili Srinivas [R1]
Mr.N.Senthil [R3]

COMMON ORDER

These two revisions arise out of two separate applications filed by the plaintiff. They are : (a) challenging the order passed by the trial Court in partly allowing the application filed under Section 8 of the Arbitration and Conciliation Act, taken out by the defendants in I.A.No.7/2021 in O.S.No.7961/2021; and (b) against the order passed in I.A.No.8/2021 filed by the defendants in rejecting the plaint under Order VII Rule 11 CPC.,



C.R.P.(NPD) Nos.302 & 304 of 2022

2. Heard both sides. Of the two CRPs, C.R.P.No.304/2022 arises out of the order rejecting the plaint, passed in I.A.No.8 of 2021. Since the rejection of the plaint is a decree within the meaning of Section 2(2) CPC, only an appeal with lie, and not a revision under Article 227 of the Constitution of India. Turning to C.R.P.No.302/2022 is concerned, unless the plaint is restored by the appellate Court, there is nothing this Court can consider at present.

3. Accordingly, C.R.P.No.302/2022 is closed, and C.R.P.No.304/2022 is dismissed. The revision petitioner is at liberty to prefer an appeal rejecting the plaint, if he is so desirous. No costs. Consequently, connected miscellaneous petitions are closed.

21.04.2022

Index : Yes / No

Internet : Yes / No

Speaking order / Non-speaking order

ds

To:

The Judge

II Assistant City Civil Court

Chennai.



WEB COPY



C.R.P.(NPD) Nos.302 & 304 of 2022

N.SESHASAYEE.J.,

ds

C.R.P.(NPD) Nos.302 & 304 of 2022

21.04.2022