



Rev.Appl.No.204 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Review Application No.204 of 2021

A.Preethi

..Petitioner

Vs.

1.S.Jayalakshmi

2.S.Suseela

3.V.Meenakshi

4.S.Manjula

5.The Branch Manager,
Bank of Baroda,
#3, Bakthavatchalam Street,
Tambaram, Chennai – 600 045.

..Respondents

Prayer: Review Petition filed under Order 47 Rule 1 & 2 of CPC., r/w. Section 114 of CPC., seeking to review of the order passed in CRP(PD).No.2263 of 2021 dated 22.11.2021.

For Petitioner : Mrs.C.R.Rukmani



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ORDER

The petitioner seeks review of my order made in
CRP(PD).No.2263 of 2021.

2.Mrs.C.R.Rukmani, learned counsel appearing for the petitioner would submit that the rejection of a revision solely on the ground of availability of a remedy under Order 7 Rule 11 of CPC., may not be proper, in view of my own subsequent decisions. I do not think, the learned counsel is right. All the decisions in which, I had myself interfered under Article 227 of the Constitution of India, where revisions in which some order of the Trial Court or the Appellate Court was under challenge and in the course of the revision, it was found that the suit itself was not maintainable or that the decree granted was not proper.

3.It was under those circumstances, I chose to exercise the supervisory jurisdiction under Article 227 of the Constitution of India. The same cannot form a ground for entertain a revision for rejection of the plaint under Article 227 when resorting to Order 7 Rule 11 of CPC. Even in the order that is sought to be reviewed, I have reserved the liberty for the



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petitioner to move the Trial Court under Order 7 Rule 11 of CPC. Hence, I do not see any ground to review the order passed. This review petition therefore, fails and it is accordingly, dismissed. No costs.

10.01.2022

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Index:No
Internet:Yes
Speaking



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R.SUBRAMANIAN, J.

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