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CRP.No.3778 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2022

CORAM:

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No.3778 of 2017
and
C.M.P. No. 17588 of 2017

R. Chandrasekar
Petitioner

..

Versus

1.A. Kannaki
2.M. Selvam,
3.S. Devi,
4.E. Santhakumari
5.Mary

.. Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 08.08.2017 passed by the learned III Assistant Judge, City Civil Court, Chennai in I.A. No.8653 of 2016 in O.S. No.2267 of 2016, dismissing the petitioner's petition under order VII Rule 11 of CPC.

For Petitioner : Mr.K. Shakespeare

For Respondents : Mr. K. Jayaraman for R1, R4 & R5
: R2- Deceased
: R3: Insufficient Address

**ORDER**

WEB COPY This Civil Revision Petition has been filed seeking to set aside the fair and decreetal order dated 08.08.2017 passed by the learned III Assistant Judge, City Civil Court, Chennai in I.A. No.8653 of 2016 in O.S. No.2267 of 2016, dismissing the petitioner's petition under order VII Rule 11 of CPC.

2. When the matter is taken up for hearing, the learned counsel for the petitioner and the learned counsel for the respondents submitted that in the Original Suit in O.S.No.2267 of 2016 pending on the file of the Trial Court, the D.W.1 was cross examined and the entire documentary evidence were taken on record. At this stage, the application in I.A. No.8653 of 2016 filed by the defendant/petitioner herein under Order VII Rule 11 of CPC cannot be entertained as well as this Civil Revision Petition.

3. In view of the aforesaid submissions of the learned counsel for both parties, the Trial Court is hereby directed to dispose of the main suit in O.S.No.2267 of 2016 within a period of Six months from the date of receipt of copy of this order.



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4. With the aforesaid direction, the present Civil Revision Petition is disposed. Consequently, connected miscellaneous petition is closed if any.

No Costs.

27.10.2022

Lbm

Index : Yes/No

Speaking Order : Yes/No

Copy To:

1. The learned III Assistant Judge, City Civil Court, Chennai.
2. The Section Officer, V.R.Section High Court, Madras.



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T.V.THAMILSELVI, J.

Lbm

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