



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2022

CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

**CRP(MD) .No. 374 of 2022 and
CMP(MD) .No.1659 of 2022**

G.Ramesh .. Petitioner/Petitioner/Respondent

Vs.

V.Rassiah .. Respondent/Respondent/Petitioner

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order dated 08.12.2021 in I.A.No. 7 of 2021 in R.C.O.P.No.18 of 2017 on the file of Principal District Munsif, Nagercoil.

For Petitioner : Mr. B.K.Girish Neelakantan

ORDER

This Civil Revision is filed by the revision petitioner to set aside the order passed in I.A.No.7 of 2021 in RCOP.No.18 of 2017 on the file of the Principal District Munsif, Nagercoil.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record. No adverse order passed against the respondent and hence, no notice is necessary.

3. The Interlocutory Application in I.A.No.7 of 2021 was filed by the petitioner under Order 7 Rule 11 CPC to reject the RCOP on the ground that there is no relationship between the parties as Landlord and tenant. This issue can be decided only after full trial and hence, RCOP cannot be rejected in the application filed under Order 7 Rule 11 CPC. The learned Principal District Munsif, Nagercoil has rightly dismissed I.A.No.7 of 2021 in RCOP.No.18 of 2017. Hence, this Court has not find any valid reason to interfere with the order passed by the Court below.

4. Accordingly, the Civil Revision Petition is dismissed and the order dated 08.12.2021 passed in I.A.No. 7 of 2021 in



C.R.P(MD).No.374 of 2022

R.C.O.P.No.18 of 2017 on the file of Principal District Munsif, Nagercoil is hereby confirmed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS II)

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Sub Assistant Registrar(CS)

trp

To

The Principal District Munsif,
Nagercoil.

+1 CC to M/s.B.K.GIRISH NEELAKANTHAN, Advocate (SR-9483[F] dated
02/03/2022)

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MGJ(11.03.2022) 2P 3C