



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.04.2022
CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

CRP (MD) .Nos.2364 of 2017 (PD)

and

C.R.P (MD)No.1786 of 2021

and

C.M.P (MD)No.11355 of 2017 & 9557 of 2021

C.R.P (MD)No.1786 of 2021

C.Vijayakumar .. Petitioner/1st Respondent/1st Defendant

Vs.

1.T.P.Ramanathan ..1st Respondent/Petitioner/Plaintiff

2.M/s.Star Briyani

By its Partner Vijaykumar,
No.102/1B Chennai National Highways,
S.R.V.School Opposite,
Near Samayapuram Toll Plaza,
And Sona Meena Hotel Samayapuram,
S.Pudur,
Tiruchirappalli-621 112.

3.S.R.V.Matriculation School,

(Run by Sri Vigneshwara
Educational Trust) Rep. by its Trustee,
B.Sathiyamoorthy,
Chennai National Highway
Samayapuram Post,
Mannachannallur Taluk,

Trichy District. ... Respondents 2 & 3/Respondents 2 & 3/
Defendants 2 & 3

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the Fair and Decreetal Order, dated 25.10.2021 passed in I.A.No.2 of 2021 in O.S.No.99 of 2017, on the file of the First Additional District & Sessions Judge (PCR), Tiruchirappalli and allow the present Civil Revision Petition.

For Petitioner : Mr.K.R.Kishore Ram
For R1 : Mr.C.Arulvadivel alias Sekar
For R2 & R3 : No appearance



C.R.P (MD) No.2364 of 2017

C.Vijayakumar

... Petitioner/1st Respondent/1st Respondent

Vs.

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... Respondent/Petitioner/Plaintiff

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Chennai National Highway
Samayapuram Post,
Mannachannallur Taluk,
Trichy District.

... Respondents 2 & 3/Respondents 2 & 3/
Respondents 2 & 3

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the docket order dated 28.07.2017 passed in I.A.No.252/2017 in O.S.No.99 of 2017, on the file of the District Court, Trichirappalli and allow the present Civil Revision Petition.

For Petitioner	:	Mr.R.Subramanian
For R1	:	Mr.C.Arulvadivel alias Sekar
For R2 & R3	:	No appearance

COMMON ORDER

The revision petitioner filed these revision to set aside the fair and decreetal order, dated 25.10.2021 and to set aside the docket order dated 28.07.2017.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the first respondent.

3. This Court directs the first respondent/plaintiff to file a petition seeking withdrawal of the suit in O.S.No.99 of 2017, on the file of the First Additional District and Sessions Judge (PCR), Tiruchirappalli and to seek liberty to file a fresh suit on the same cause of action.



4. With the above direction, these Civil Revision Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS.I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1 The First Additional District & Sessions Judge (PCR),
Tiruchirappalli.

2 The District Judge,
Tiruchirappalli.

3 The Record Keeper,
VR Section, Madurai Bench of Madras High Court,
Madurai.(2 Copies)

+1 CC to M/s.C. ARUL VADIVEL @ SEKAR, Advocate (SR-22547[F] dated
29/04/2022)

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-22805[F] dated
29/04/2022)

CRP (MD) .No.2364 of 2017 (PD)

and

C.R.P (MD)No.1786 of 2021

29.04.2022

SA(25.05.2022) 3P 7C