



CRP (NPD) No.1399 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2023

CORAM:

**THE HONOURABLE DR.JUSTICE D.NAGARJUN**

**CRP (NPD) No.1399 of 2023**

S.Venkatesan

... Petitioner

Vs.

1.Scorpio Precisions,  
rep. by its Partner V.Prabhakaran,  
No.S43B(1), SIPCOT Industrial Park,  
4<sup>th</sup> Main Road, Vengadu Village,  
Pillaiappakkam, Sriperumpudur,  
Chennai – 602 105.

2.V.Prabhakaran

3.E.Nalina

4.S.Elangovan

... Respondents

Prayer: The Civil Revision petition filed under Article 227 of Constitution of India, seeking to set aside the order in O.S.SR.No.3638 of 2022, dated 16.11.2022 on the file of the learned District Munsif at Sriperumbudur and consequently direct the Registry of the District Munsif, Sriperumbudur to number the said suit.

For Petitioner : Mr.B.Leelesh Sundaram



CRP (NPD) No.1399 of 2023

## **ORDER**

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This Civil Revision is filed against the order passed in O.S.SR.No.3638 of 2022, dated 16.11.2022 on the file of the learned District Munsif at Sriperumbudur, rejecting the plaint without even numbering, on the ground that the petitioner has no cause of action under Order VII Rule 11 (a) of C.P.C, as the petitioner is not a party to the partnership deed, dated 14.01.2022 which is sought to be declared as null and void.

2. During the course of submission, the learned counsel for the petitioner prayed this Court to grant him liberty to re-draft the plaint with suitable reliefs and file before the trial Court.

3.Considering the submission, with the consent of both sides, the petitioner is granted liberty to represent the plaint, after re-drafting the same or permitted to file a fresh suit before the trial Court. On such filing of the suit, the learned trial Judge shall consider the maintainability of the suit afresh and pass appropriate speaking order, on merits and in accordance with law.



CRP (NPD) No.1399 of 2023

WEB COPY

4. With the above observation, this Civil Revision Petition stands disposed of. No costs.

**26.04.2023**

vum

Index: Yes/No

Speaking order / Non speaking order

Note: Registry is directed to return the original petition that has been filed along with this Civil Revision Petition after substituting the same with certified copies to enable the counsel to represent the same.



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CRP (NPD) No.1399 of 2023

**DR.D.NAGARJUN, J.**

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**CRP (NPD) No.1399 of 2023**

**26.04.2023**