



C.R.P.(PD)No.2814 of 2019

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2023

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

C.R.P(PD)No.2814 of 2019
and CMP.No.18482 of 2019

1.E.Kasthuri

2.A.G.Purushothaman (Died)

3.Jayakrishna Purushotham .. Petitioners
(3rd Petitioner is impleaded by order of this Court
dated 01.08.2023 in CMP.Nos.5630 & 5631 of 2023 in
CRP(PD)No.2814 of 2019)

VS

1.D.Suriyakanth

2.The Muthialpet Benefit Fund Ltd.,
Rep. by its Director
No.199, Thambu Chetty Street,
Chennai-600 001

3.The Muthialpet Benefit Fund Ltd.,
Rep. by its Deputy Chief Executive
Chetpet Branch
No.1/2, Mayor V.R.Ramanathan Road,
Chetpet, Chennai-600 031



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4.Sri Raj & Co.,
Rep. by its Promoters,
No.7, Sungarama Chetty Street,
Parrys, Chennai 600 001

5.The Administrator, Rep. by the Muthialpet
Benefit Fund
No.199, Thambu Chetty Street,
Chennai-600 001.

.. Respondents

Petition filed under Article 227 of the Constitution of India against the order and decretal order dated 21.12.2018 made in I.A.No.12912 of 2017 in O.S.No.1640 of 2012 on the file of the V Additional Judge, City Civil Court, Chennai.

For Petitioners : Mr.R.Thiagarajan

ORDER

The learned counsel appearing for the petitioners submits that the suit in O.S.No.1640 of 2012 was rejected pursuant to an order in I.A.No.12912 of 2017. It was rejected on 21.12.2018. As against, the rejection of plaint, which is deemed to be a decree under Section 2(2) of CPC, a regular appeal has been filed in A.S.No.822 of 2019. He states by way of abundant caution, he also moved CRP.2814 of 2019 questioning the jurisdiction of the Court. The objection to jurisdiction of the Court can also be raised in the regular appeal. Giving the liberty to the



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petitioner to raise all points in the first appeal, this civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

01.08.2023
(2/2)

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

vs

To

The V Additional Judge,
City Civil Court, Chennai.



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V. LAKSHMINARAYANAN,J.

VS

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**01.08.2023
(2/2)**