



C.R.P.(PD).No.3280 of 2019

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2023

CORAM

THE HONOURABLE **MR.JUSTICE N.SESHASAYEE**

C.R.P.(PD).No.3280 of 2019

1.M.P.Pragadeeswaran
2.Vidyalakshmi
3.Palanisamy

... Petitioners

Vs.

1.Sivabagyam
2.Murugesan @ Anbanandan

... Respondents

Prayer: Petition filed under Article 227 of Constitution of India, seeking to direct the learned II Additional District Munsif to number the petition in C.F.R.No.25621 of 2019 in O.S.No.2575 of 2012 and take on its file.

For Petitioners : Mr.S.Arjun

ORDER

The respondents herein laid a suit in O.S.No.2575 of 2012 for bare injunction against the revision petitioners. Subsequently, the revision petitioners themselves had filed O.S.No.19 of 2013 for declaration of their



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title and for certain ancillary reliefs of injunction.

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2.While so, the respondents herein have taken out an application in I.A.No.176 of 2013 under Order VII Rule 11 C.P.C for rejection of plaint in O.S.No.19 of 2013. That came to be allowed. Challenging which, the revision petitioner preferred A.S.No.109 of 2013 and the same was allowed by the first appellate Court. Against which, the respondents herein has preferred S.A.No.723 of 2016 and the same is pending.

3.In the meantime, the revision petitioners herein have taken out an application in C.F.R.No.25621 of 2019 to stay the trial in O.S.No.2575 of 2012, and that was not taken on record.

4.The present C.R.P is now laid for a direction to the trial Court to take the aforesaid application on record.

5.Learned counsel for the revision petitioners submitted on instructions, that the trial of O.S.No.2575 of 2012 has commenced and has reached across substantial distance, and hence, he does not press the C.R.P.



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6.This civil revision petition is dismissed accordingly as not pressed. No

Cost.

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Anu

Index : yes / no

Internet : yes / no

Speaking / non speaking

Copy to:

The II Additional District Munsif Court.



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N.SESHASAYEE.J.,

Anu

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