



C.R.P.(NPD).No.3756 of 2019
and C.M.P.No.24700 of 2019

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM

MR.JUSTICE N.SESHASAYEE

C.R.P.(NPD).No.3756 of 2019
and C.M.P.No.24700 of 2019

Cosmopolitan Club, Madras
Rep. by its Secretary,
No.63, Anna Salai, Chennai-600 002.

... Petitioner

Vs.

S.M.Kumar

... Respondent

Prayer: Petition filed under Article 227 of the Constitution of India, seeking to set aside the order dated 27.08.2019 made in I.A.No.2362 of 2018 in O.S.No.5892 of 2017 on the file of the III Assistant City Civil Judge, Chennai.

For Petitioner : M/s.S.Magarani

For Respondent : No Appearance

ORDER

This Civil Revision Petition arises against an order dismissing the application in I.A.No.2362 of 2018 in O.S.No.5892 of 2017, filed by



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the revision petitioner for rejection of plaint under Order VII Rule 11 (a)

C.P.C. The suit is laid for a declaration that the removal of the respondent from the revision petitioner's club is null and void.

2.Today, the learned counsel for the revision petitioner makes a statement that the respondent / plaintiff has passed away. Since the right involved is non heritable, the suit itself has become infructuous.

3. In view of the above submission, this Civil Revision Petition is dismissed as having become infructuous. No Costs. Consequently, connected Miscellaneous Petition is closed.

13.06.2023

Anu
Index : yes / no
Internet : yes / no
Speaking / non speaking

Copy to:
The III Assistant City Civil Judge, Chennai



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