



C.R.P(MD)No.1406 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.06.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.R.P(MD)No.1406 of 2023

1.Lal Bahadur Kennedy

2.Muthulakshmi @ Muthabaranam

3.Subash Babu Singh

4.Mariya Pricilla

5.Flowrance Gnanarajam

6.Philip Kumar

...Petitioners/Petitioners/
Defendants 1 to 6

Vs.

1.D.Augustin

2.S.Packiyaraj

3.R.Stephenson

4.Devadas

...Respondents/Respondents/
Plaintiffs

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the learned II Additional District Judge,



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Tuticorin to dispose of the I.A.No.2 of 2021 in O.S.No.117 of 2020 within the time framed fixed by this Court.

For Petitioners : Mr.S.Rajasekar
M/s.Lajapathi Roy and Associates

ORDER

The present Civil Revision Petition has been filed to direct the learned II Additional District Judge, Tuticorin to dispose the I.A.No.2 of 2021 in O.S.No.117 of 2020

2. The petitioners are the defendants in the suit instituted by the respondent to declare the general body meeting held on 18.07.2015 by the petitioners was illegal and null and void.

3. It is submitted that in the said suit, the petitioners have filed I.A.No.2 of 2021 to reject the plaint. It is submitted that if the above application is considered by the Court, the question of the Court wasting time on receiving written statement and framing issues and putting the parties to trial can be avoided. Therefore, the precious time of the Court can be saved.



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4. The submission of the learned counsel for the petitioner is meritorious.

5. In view of the above, the present Civil Revision Petition stands allowed at the time of admission after dispensing with notice to the respondents as no adverse orders are proposed to be passed against the respondents by directing the learned II Additional District Judge, Tuticorin to dispose of I.A.No.2 of 2021 in O.S.No.117 of 2020 as expeditiously as possible preferably within a period of 3 months from the date of receipt of copy of this order. It is needless to state that before passing any order in I.A.No.2 of 2021 in the above suit, the parties shall be heard on merits. No costs.

21.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The II Additional District Judge,
Tuticorin.
- 2.The Section Officer
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN,J.

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