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C.R.P(MD)No.1458 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2023

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.R.P(MD)Nos.1458 and 1459 of 2023

and

C.M.P.(MD)Nos.7279 and 7280 of 2023

K.Jeyakumar ...Petitioner/Petitioner/Defendant in both C.R.Ps.

Vs.

A.Jegadeesh ... Respondent/Respondent/Plaintiff in both C.R.Ps.

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of Constitution of India, to set aside the order and decree dated 18.02.2023 made in I.A.Nos.42 and 43 of 2023 in O.S.Nos.70 and 72 of 2022 on the file of the Additional District Munsif, Dindigul.

For Petitioner (in both C.R.Ps.) : Mr.G.Gomathi Sankar

For Respondent(in both C.R.Ps.) : Mr.C.Suresh Kannan

COMMON ORDER

Theses civil revision petitions have been filed to set aside the order and decree made in I.A.Nos.42 and 43 of 2023 in O.S.Nos.70 and 72 of 2022 dated 18.02.2023, on the file of the learned Additional District Munsif, Dindigul.

2.The petitioner is the tenant of the respondent in respect of two different shops. The respondent has initiated proceedings against the petitioner in O.S.No.

<https://www.mhc.tn.gov.in/judis> 70 of 2022 and O.S.No.72 of 2022 before the learned Additional District



Munsif, Coimbatore District. In these suits, the petitioner has filed applications under Order 7 Rule 11 of CPC in I.A.Nos.42 of 2022 and 43 of 2023 to reject the plaint. The only ground on which the above applications have been filed in the respective suits is that jurisdiction of the civil Court is barred under Tamil Nadu Regulation of Rights and Responsibilities of Landlord and Tenants Act, 2017, which according to the petitioner, has been wrongly entertained. The trial Court ought to have been allowed the applications.

3.The learned counsel for the respondent/plaintiff is present. The learned counsel for the respondent would submit that the impugned order does not call for interference as it is well reasoned.

4.On query the learned counsel for the petitioner confirms that the suits were filed prior to the commencement of the Act. The Act came to force some time during February 2022. The suits are numbered as O.S.Nos.70 of 2022 and 72 of 2022. Therefore, *prima facie* there was no bar as per the law that prevailed then.

5.Therefore, the plaints cannot be rejected. It is however open for the petitioner to file appropriate applications for return of the plaint to the respondent, if it is the case of petitioner that the above case was otherwise to be dealt with under the provision of said Act, after it came into force in February



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6. With the above liberty, the present Civil Revision Petitions are dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

26.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Mrn

To

1. The Additional District Munsif, Dindigul.

2. The Section Officer
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN,J.

Mrn

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