



C.R.P. (PD) No.2508 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM :

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

Civil Revision Petition (PD) No.2508 of 2024

Lieutenant Colonel Sandeep Dewan (Veteran)

.. Petitioner

Versus

M/s Ootacamud Club
Represented by its President
Having Registered Office at
No.179, Club Road, Ootacamund
The Nilgiris.

.. Respondent

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 15.06.2024 passed by the Hon'ble Fast Track Mahila Court, The Nilgiris District in I.A.No.12 of 2024 in I.A.No.7 of 2024 in O.S.No.65 of 2022.

For the Petitioner

: Lieutenant Colonel Sandeep Dewan
Party-in-Person

For the Respondent

: Mr.P.R.Ramakrishnan
for Mr.Suhrith Parthasarathy

ORDER



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Heard Lieutenant Colonel Sandeep Dewan, Party-in-Person and Mr.P.R.Ramakrishnan for Mr.Suhrith Parthasarathy.

2. This Civil Revision Petition seeks to revise the order passed by the learned Sessions Judge Magalir Neethimandram (FTMC) in I.A.No.12 of 2024 and I.A.No.7 of 2024 in O.S.No.65 of 2022 dated 15.06.2024.

3. By filing I.A.No.12 of 2024, the Civil Revision Petitioner wanted to advance the hearing of the suit from 24.06.2024 to 12.04.2024. The said application came to be dismissed by the learned Sessions Judge, against which, the present revision.

4. It is not in dispute that the bunch of interlocutory applications which were filed in O.S.No.65 of 2024 have been disposed of on 08.07.2024 and 21.08.2024. Hence, the very revision has become infructuous.

5. Both sides bring to my notice that the Principal District Judge has transferred the suit to the file of the learned Sessions Judge, Magalir



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Neethimandram, The Nilgiris District, pursuant to an order dated 28.03.2024.

Unfortunately, Mr.P.Karunanidhi, who was the learned Judge presiding over the Court passed away in a road accident. Hence the matter is now being handled by the learned Family Judge at Udagamandalam, who is in-charge of the Magalir Neethimandram (FTMC).

6. Mr.P.R.Ramakrishnan, would bring my notice that an amendment application has been filed by the Civil Revision Petitioner and the matter is pending consideration in Court.

7. I was inclined to direct for disposal of the suit as had been done earlier by the Hon'ble Mr.Justice Teeka Raman, while dealing with Civil Miscellaneous Appeal, which came to be filed seeking an order of interim injunction. Since an application for amendment is pending and as the Presiding Officer for the Magalir Neethimandram (FTMC) is yet to be appointed, in exercise of powers conferred under Article 227 of the Code of Civil Procedure, the suit in O.S.No.65 of 2022 is withdrawn from the file of the Court of



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Sessions Judge, Magalir Neethimandram (FTMC), Udhagamandalam, The Nilgiris, and transferred to the file of the Principal District Judge, The Nilgiris.

8. The suit is said to be listed on 06.09.2024 for considering the application for amendment. The learned Principal District Judge is requested to dispose of the application for amendment, after receipt of a counter from the respondent at the earliest and take up the suit itself for disposal.

9. With the above direction this Civil Revision Petition stands dismissed. In so far as the grievance of the party-in-person that certain observations have been made against him in the order, I am sure the learned Principal District Judge or any other Judge or any other successor who is dealing with the matter would obviously not take note of the same at the time of disposal.

10. Further, the learned Judge is also requested to call for the suit in O.S.No.68 of 2022 said to be pending before the District Munsif Court, The



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Nilgiris and club it along with this suit in O.S.No.65 of 2022 and proceed with both the suits together and render a common Judgment. No costs.

29.08.2024

Index : Yes / No
Internet: Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No
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To

- 1.The Sessions Judge, Magalir Neethimandram (FTMC)
Udhagamandalam, The Nilgiris.
- 2.The Principal District Judge, The Nilgiris.
- 3.The District Munsif, The Nilgiris.



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V.LAKSHMINARAYANAN, J.,

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