



C.R.P.(PD)(MD)No.792 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2024

CORAM:

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

C.R.P.(PD)(MD)No.792 of 2020
and C.M.P.(MD)No.5353 of 2020

S.Subbarayan

... Petitioner

Vs.

1.Kavandai @ Kavandammal

2.Selvi

... Respondents

PRAYER : Petition filed under Article 227 of the Constitution of India, praying to set aside the Fair and Decreetal order dated 10.01.2020 passed in I.A.No.4 of 2019 in O.S.No.162 of 2015 on the file of the I Additional District Judge (PCR), Tiruchirappalli.

For Petitioner : Mr.M.Saravanan

For Respondents : Mr.G.Anto Prince,
for M/s.Peace Law Foundation



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ORDER

This Civil Revision Petition has been filed aggrieved by an order dated 10.01.2020 passed in I.A.No.4 of 2019 in O.S.No.162 of 2015 on the file of the Court of I Additional District Judge, Tiruchirappalli. The said application was filed under Order 7 Rule 11 of C.P.C., seeking rejection of the plaint by the petitioner/defendant No.6. The said application was dismissed by the learned trial Court.

2. Today, when the matter is taken up for consideration, the learned counsel for the petitioner fairly submitted that the petitioner/defendant No.6 may be granted liberty to raise all the pleas that are raised in the application in the main suit itself.

3. The learned counsel for the respondents have not seriously opposed the submission of the learned counsel for the petitioner.



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4. In the light of the above, this Court does not see any impediment for granting liberty to the petitioner. Accordingly, this Civil Revision Petition is dismissed with liberty as sought for by the learned counsel for the petitioner to raise all the grounds raised in the application filed under Order 7 Rule 11 of C.P.C., in the main suit. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

21.02.2024

Neutral Citation: Yes / No
Index : Yes / No
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MUMMINENI SUDHEER KUMAR, J.

vsm

To

- 1.The I Additional District Judge (PCR), Tiruchirappalli.
- 2.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court, Madurai.

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