

5. Therefore, in the facts and circumstances of the case, the impugned order dated 14th December 2023 is set aside and the Trial Court is directed to frame an issue with regard to maintainability of the suit as being bared by limitation. The Trial Court shall decide the suit without being influenced by the observations contained in the order dated 14th December 2023.

6. With the aforesaid directions, the writ petition is disposed of.

(CHIEF JUSTICE)