

WEB COPY

CRP.No.2837 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

C.R.P.No.2837 of 2025
and C.M.P.No.16055 of 2025

E.Dayalan

... Petitioner

Vs.

1.D.Swarnakumar

2.The Tax Officer-III,
Office of the Principal Commissioner of Income Tax,
Room No.420, 4th Floor, Chennai Main Building,
No.121, Mahatma Gandhi Road,
Nungambakkam,
Chennai-34.

3.S.Anand Muruga Utharkar

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to struck off the plaint in O.S.No.1424 of 2025, on the file of the learned XX Additional City Civil Court, Chennai.

For Petitioners : Mr.R.Singaravelan
Senior Counsel
for Mr.M.Muruganantham



ORDER

Though the Civil Revision Petition has been filed seeking to strike off the plaint, in view of the order dated 13.06.2025 passed in C.R.P.No.1570 of 2025, Mr.R.Singaravelan, learned Senior Counsel appearing for the petitioner would fairly submit that the trial Court may be directed to consider the issue of maintainability as a preliminary issue. Therefore, the trial Court is hereby directed to decide the maintainability of the suit as a preliminary issue and subject to the result of the order on the maintainability issue, further consequential orders may be passed in the suit.

2. Accordingly, this Civil Revision Petition is disposed of in the above terms. There shall be no order as to costs. Connected miscellaneous petition is closed.

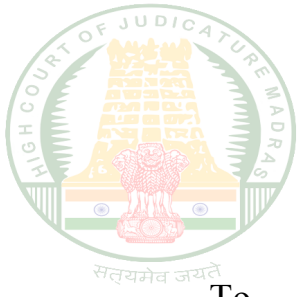
21.07.2025

Speaking Order/Non-speaking Order

Index : Yes / No

Neutral Citation : Yes/No

ssb



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To
The XX Additional City Civil Court, Chennai.



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P.B. BALAJI,J.

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