



CRP (MD). No.1682 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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Dated : 22/07/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.1682 of 2022
and CMP(MD) No.7391 of 2022**

Hatsun Agro Products Limited,
Represented by its Managing Director,
No.120A Rajiv Gandhi Salai
OMR, Karapakam
Chennai.

... Petitioner

Vs

1. Sahaya Raj

2. Mary Mable

... Respondents

PRAYER :-Civil Revision petition filed Under Article 227 of the Constitution of India, to call for the records relating to the impugned Fair and Decreetal order dated 08-04-2022 passed in I.A.No.3 of 2021 in O.S.No.55 of 2021 on the file of the Subordinate Court, Eraniel and to set aside the same.

For Petitioner : Ms.S.Mahalakshmi

For Respondents : Mr.G.Anto Prince for R1



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ORDER

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The Civil Revision Petition is filed against the Fair and Decretal order dated 08-04-2022 passed in I.A.No.3 of 2021 in O.S.No.55 of 2021 on the file of the Subordinate Court, Eraniel.

2. The petitioner is the 1st defendant in OS No.55/2021. The first respondent/plaintiff filed the said suit claiming compensation of Rs. 7,00,000/- with interest at 12% for the non supply of the milk and for permanent injunction from forcibly evicting the plaintiff from the suit schedule property. The said damages sought for on the ground that there were no business transactions between the petitioner and the first respondent and the tenancy was granted in the name of the 2nd defendant and not in favour of the first respondent/plaintiff. Pending suit, the petitioner/defendant filed an interlocutory application in IA No. 3/2021 under Order VII Rule 11 of the Code of Civil Procedure to reject the plaint. However, the said petition came to be dismissed. Challenging the same, the petitioner is before this Court.

3. The learned counsel for the petitioner would submit that in the absence of any agency or dealership agreement between the first respondent and the petitioner,



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dismissing the petition is not sustainable and the suit is necessarily has to be
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rejected. Hence, the learned counsel prays for appropriate direction.

4. The learned counsel for the first respondent would however submit that the petition was rightly dismissed by the trial Court and the first respondent/plaintiff has proved his case before the trial Court with regard to the transactions between the first respondent/plaintiff and the petitioner/defendant and an agreement has been entered into between the petitioner and the first respondent with regard to distribution of milk and its allied products. He would therefore submit that since all the issues are triable in nature, it cannot be decided under Article 227 of the Constitution of India. Accordingly, prays for dismissal.

5. I have considered the rival submissions and perused the materials available on record.

6.(*) Considering the facts and circumstances of the case and considering the fact that the first respondent has business transactions with the petitioner herein, for which, the first respondent has filed his statement of accounts and the trial Court has also considered all those documents and rightly dismissed the application for



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rejection of plaint. Since the issues are triable in nature, the relief that has been sought for under Article 227 of the Constitution of India is not sustainable. However, without influencing any of the observations made by this Court, the trial Court is directed to dispose of the suit in O.S.No.55 of 2021 as expeditiously as possible. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

(*)Corrected as per order of this Court dated 04/08/2025 made in CRP(MD)No. 1682 of 2022.

Sd/-

22.07.2025

// True Copy //

/ /2025

Sub Assistant Registrar
(CS-I / II / III / IV)

RR

TO

1.The Subordinate Judge, Eraniel.

2.The Section Officer,
VR Section

Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-45296[F] dated 22/07/2025)



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**ORDER
IN**

**CRP(MD) (NPD) No.1682 of 2022
Date : 22/07/2025**

RA - (19.08.2025) 5P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.