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CRP.No.3589 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.3589 of 2024 and

CMP.No.19455 of 2024

N.Sivakumar

... Petitioner

Vs.

V.Panneerselvam

...Respondent

PRAYER : Civil Revision Petition filed Article 227 of Constitution of India, praying, to strike off the plaint in COS.1/2022 on the file of the District Court, Tiruvarur as an abuse of process.

For Petitioner : M/s.V.Srimathi

For Respondent : M/s.S.V.Karthikeyan

ORDER

The Civil Revision Petition is filed seeking to strike off the plaint in Commercial Suit No.1 of 2022 on the file of the District Court, Tiruvarur, mainly on the ground that for the very same relief, the respondent/plaintiff already filed a counter claim in arbitral proceedings initiated under MSME Act



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before MSEFC (Micro and Small Enterprises Facilitation Council) in
IAF7/2021.

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2. The learned counsel appearing for the respondent filed an affidavit before this Court dated 24.02.2026 that the respondent would not press the counter claim preferred by him in IAF7/2021 before Micro and Small Enterprises Facilitation Council. The said affidavit is recorded.

3. The present revision petition has been filed mainly on the ground that the respondent is not entitled to prosecute two remedies simultaneously. Already the respondent filed an affidavit before this Court that he would not press the counter claim before the Micro and Small Enterprises Facilitation Council. Hence, the point raised by the petitioner will not be available, once the counter claim of the respondent is not pressed. Therefore, the Civil Revision Petition is disposed of by recording the undertaking given by the respondent. In case respondent failed to not press the counter claim preferred by him in the arbitration initiated under Section 18(3) of Micro, Small and Medium Enterprises Development Act within a period of four weeks from the date receipt of copy of this order, the petitioner is entitled to seek revival of the



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Civil Revision Petition. No costs. Consequently, connected miscellaneous petition is closed.

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24.02.2026

Index : Yes / No

Internet : Yes / No

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To

The District Court,
Tiruvarur.



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