

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.07.2017

CORAM

**THE HON'BLE MR.JUSTICE M.GOVINDARAJ**

**CRP.(PD).No.2610 of 2017 &**  
**CMP.No.12435 of 2017**

N.Jeyalakshmi

..Petitioner

.Vs.

1. M.Mekala
  2. Pattammal
  3. Chandrasekar,
  4. The Managing Director,  
Purasawakkam Permanent Fund Limited,  
No.173, Vellala Street,  
Purasawakkam,  
Chennai-600 084.
  5. The Assistant Engineer,  
Chennai Metropolitan Water and Sewerage Board,  
Choolaimedu,  
Chennai-600 094.
- ...Respondents

**Prayer :** Civil Revision Petition filed Under Article 227 of the Constitution of India to struck off the plaint in O.S.No.3960 of 2011, on the file of the VII Assistant City Civil Court, Chennai as abuse of process of law and barred under law.

For Petitioner : Mr.G.Vivekanand

For Respondents : Mr.S.Varanesh

**ORDER**

The Civil Revision Petition has been filed to strike off the plaint in O.S.No.3960 of 2011, on the file of the VII Assistant City Civil Court, Chennai, as an abuse of process of law and barred under law.

2. The learned counsel for the petitioner would submit that he has also taken out applications in I.A.Nos.8194 of 2016 and 373 of 2017 to set aside the exparte order dated 23.09.2011 under Order IX Rule 7 CPC.

3. The learned counsel for the respondents would submit that in I.A.No.8194 of 2016, he has filed his counter and in I.A.No.373 of 2017 he is yet to file his counter. It is submitted that the parties will be satisfied, if a direction is given for an early disposal of the applications. Considering the factual averments made by the respective counsels, this Court is of the view that the parties are directed to work out their remedies before the Trial Court and approach this Court at a later point of time.

4. Considering the submissions made on either side, a direction is issued to the VII Assistant City Civil Court, Chennai, to dispose of

I.A.Nos.8194 of 2016 and 373 of 2017 within a period of the two months from the date of receipt of a copy of this order.

5. This Civil Revision Petition is disposed of without going into the merits of the case. No costs. Consequently, connected Miscellaneous Petition is closed.

31.07.2017

sjj/jer

Index:Yes/No  
Internet:Yes/No

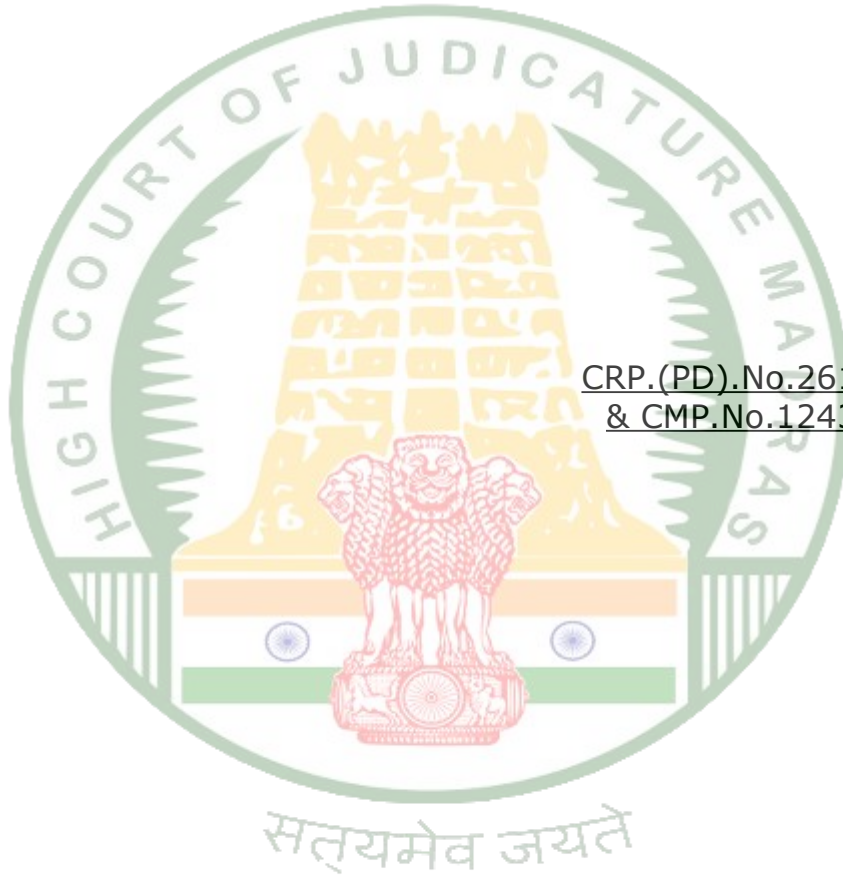
To

1. The VII Assistant City Civil Court,  
Chennai.
2. The Assistant Engineer,  
Chennai Metropolitan Water and Sewerage Board,  
Choolaimedu,  
Chennai-600 094.

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**M.GOVINDARAJ, J.**

sjj



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