

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

C.R.P.(PD).No.1925 of 2015

and M.P.No.1 of 2015

M.K.Chandrasekaran

... Petitioner

Vs.

1.Tmt.Saroja

2.M.B.Ramamoorthy

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India seeking to set aside the docket order dated 03.03.2015 passed in E.A.SR.No.988 of 2015 in E.P.No.59 of 2010 in O.S.No.667 of 1996 on the file of the District Munsif Court, Tambaram and direct the District Munsif, Tambaram to take the said E.A. on file and adjudicate the issues raised by the petitioner on merits and in accordance with law after affording opportunity to the petitioner to adduce evidence.

For Petitioner : Mr.D.Senthil Kumar

ORDER

The third party petitioner has filed the above Civil Revision Petition to direct the District Munsif Court, Tambaram to number the unnumbered application in E.A.SR.No.988 of 2015 in E.P.No.59 of 2010 in O.S.No.667 of 1996.

2.The petitioner filed an application under Section 47 (3) of the Code of the Civil Procedure in E.A.SR.No.988 of 2015. According to the learned counsel for the petitioner, the District Munsif Court, Tambaram returned the papers raising

M.DURAISWAMY,J.

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queries. The learned counsel also submitted that in spite of representing the papers, the District Munsif Court, Tambaram has not numbered the application till this date.

3.In these circumstances, I give liberty to the petitioner to advance his arguments with regard to the maintainability of the application before the District Munsif Court, Tambaram. Accordingly, the petitioner shall appear before the District Munsif Court, Tambaram, on or before 10.06.2015 and make his submissions with regard to the queries raised by the District Munsif Court, Tambaram. If the Execution Court is satisfied with the submissions made by the petitioner, the Execution Court may number the application.

4.With this observation, the Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Index : No
Internet : Yes

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Note: The Registry is directed to return the application in E.A.SR.No.988 of 2015 to the counsel for the petitioner.

To

The District Munsif Court, Tambaram.

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