

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(PD) No.2106 of 2015 &

M.P.No.1 of 2015

1.Sornathal

2.A.K.Saminathan

... Petitioners

v.

1.S.R.Mohana Devi

2.Minor Prabha

3.Village Administrative Officer,
Village Administrative Office,
Paranjerveli Village,
Kangeyam Taluk, Tiruppur District.

4.Tahsildhar,
Office of the tahsildhar,
Kangeyam.

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the docket order dated 29.04.2015 made in O.S.No.29 of 2015 on the file of the District Munsif Court, Kangeyam by allowing this Civil Revision Petition.

For Petitioner : Mr.N.S.Sivaprakash

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O R D E R

The plaintiffs in O.S.No.29 of 2015 on the file of District Munsif Court, Kangeyam have filed the above Civil Revision Petition challenging the docket order dated 29.04.2015.

2. The plaintiff filed the suit in O.S.No.29 of 2015 for declaration.

3. Learned counsel appearing for the petitioner submitted that by order dated 29.04.2015, the Trial Court had ordered paper publication and tom tom though Court.

4. On a perusal of the plaint, it could be seen that there are 4 defendants. On 23.2.2015, the Government Pleader filed a memo of appearance on behalf of the defendants 3 and 4 and one Mr.K.Kuppusamy undertook to file vakalat for the defendants 1 and 2. On 29.4.2015, the counsel entered appearance on behalf of the defendants 1 and 2. When all the parties were duly served and have also engaged respective Advocates, there is no necessity for effecting paper publication and tom tom.

5. In these circumstances, the docket order passed by the District Munsif Court, Kangeyam on 29.04.2015 is set aside. The District Munsif Court, Kangeyam is directed to list the matter for filing written statement of the defendants.

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

04.06.2015

Index : No
Internet : Yes

Note : Issue copy of the order by 05.06.2015

Rj

To

The District Munsif Court,
Kangeyam

M. DURAISWAMY,J.,

Rj

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