



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2015

C O R A M

WEB COPY

THE HONOURABLE Mr.JUSTICE P.DEVADASS

C.R.P. (MD) .No.1074 of 2015 (PD)

1.T.Jayabalan
2.T.Raja
3.T.Alagesan
4.V.Palanivel
5.V.Kamaraj
6.V.Sekar
7.A.Palaniyappan
8.M.Shanmugakani
9.M.Deepa
10.M.Palanikumar

...Petitioners/Plantiffs
3,4,5,7,8,9,11,12,14 & 15

Vs

1.Madasami
2.A.Udayakumar
3.Ananthakumar
4.Marimuthu
5.A.Jesuraj
6.D.Karthi
7.R.Marimuthu
8.K.Sivaraman
9.D.Gopi
10.R.Sundaresan
11.Executive Officer,
Town Panchayat,
Sevugampatti
Batlagundu Post,
Nilakottai Taluk.

12.A.T.Pandian
13.Gunasekaran

...Respondents/Defendants 1to 12,
13 Plaintiff

Petition filed under Article 227 of the Constitution of India to set aside the Dockettal order, dated 10.04.2015 passed in I.A.Dairy No.211 of 2015 in I.A.No.770 of 2014 in O.S.No.112 of 2000 on the file of the District Munsif's Court, Nilakottai and direct the Court below to number the I.A.Dairy No.211 of 2015.

For Petitioners ... Mr.M.Saravanan

For R11 ... Mr.J.Gunaseelanmuthiah

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O R D E R

The petitioners in un-numbered I.A., are the revision petitioners seek a direction to number the I.A and proceed further in accordance with law.

2.In the Court of District Munsif, Nilakottai, the petitioners have instituted a suit in O.S.No.112 of 2000, seeking declaration and certain other relief. Subsequently the suit has been dismissed for default.

3.I.A.No.770 of 2014 has been filed by the petitioners to set aside the order of the dismissal and restore the suit. It also came to be dismissed for default.

4.In the circumstances, the present I.A viz., I.A in Dairy No.211 of 2015 has been filed by the petitioners to restore the I.A.No.770 of 2014, which has been dismissed for default.

5.According to the learned counsel for the petitioners without any valid reasons, the said I.A is being kept un-numbered and consequently, petitioners were put to lot of inconvenience, they are very much anxious to prosecute the I.A.No.770 of 2014 and also the suit.

6.The learned Government Advocate representing 11the respondent is not standing in the way of Court viz., numbering the I.A., and disposing it of.

7.I have perused the written endorsement smade in I.A. These are all the small matters.

8.In the circumstances, the learned District Munsif, Nilakottai is directed to number the un-numbered I.A viz., I.A.Dairy No.211 of 2014 filed in I.A.No.770 of 2014 in O.S.No.112 of 200 and dispose it of in accordance with law. The Registry is directed to return the original I.A.Dairy No.211 of 2015 to the learned counsel for the petitioners to be re-presented before the learned District Munsif, Nilakottai. Accordingly, the civil revision petition is disposed of. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

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To

1. The District Munsif, Nilakottai, Dindigul District
2. The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.R.Subramanian ADV.Sr.No.44285

+1Cc to Mr.J.Gunaseelan ADV.Sr.No.44641

GJM-21.8.15-2P-5C

C.R.P. (MD) .No.1074 of 2015(PD)

Dated: 05.08.2015