



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 27.02.2015

CORAM

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P (PD) (MD) No.366 of 2015

and

M.P (MD) No.1 of 2015

Nallathambi

..Petitioner/Petitioner/Plaintiff

Vs

1.Lalitha

2.Ramasamy

3.Samboornam

4.Selvam

5.Kalavathi
Sub-Inspector,
All women Police Station,
Musiri,Tiruchy District.

6.Sahaya Anbarasu,
Inspector,
Musiri Police Station,
Tiruchy District.

7.Saptharishi,
Government Pleader,
Son of Palaniyandi,
Office Address:
52,First Floor,
Near Pallivasal,
Parisal Thurai Road,
Musiri.

8.Cholan
DMK Ondriya Secretary,
Son of Pennatchi,
Keela Pudumangalam,
Thirthalaiyur Panchayat,
Musiri Taluk,
Trichy District.

9.The State of Tamil Nadu,
represented by the District Collector,
Collectorate,
Tiruchirappalli.



10.Manibarathi,minor,
represented by mother,next friend and natural
guardain, Lalitha

..Respondents

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Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India praying this Court to set aside the order passed by the Principal District Munsif Court, Tiruchirappalli in I.A.S.R.No.395 of 2015 in O.S.No.1251 of 2012 dated 7.1.2015.

For Petitioner :M/s.M.Siddharthan

ORDER

The revision Petitioner has challenged the return of I.A which has been filed for impleading the 10th defendant in the suit.

2.The rejection is not on merits but without numbering. The I.A was returned at the first instance for certain compliance and for maintainability. Without attending to the returns, the I.A was represented. Therefore the principal District Munsif had rejected the I.A stating that when the earlier returns were not complied with and simply it is represented, it cannot be entertained and therefore rejected. I do not see any serious error in the order of the Principal District Munsif. It is only the attitude of the counsel or the party who had represented the I.A without complying with the returns and that has to be condemned. However, in the interest of justice and at the request of the learned counsel for the revision Petitioner, the Petitioner is directed to comply with the returns and represent the I.A and the learned Principal District Munsif is directed to number the same, if everything is in order and pass orders on merits after issuing notice to the other side. The learned Principal District Munsif Tiruchirappalli is directed to return the I.A.SR.No.395 of 2015 in O.S.No.1251 of 2012 for compliance by the Petitioner and this exercise shall be completed and the said I.A is to be disposed of on or before 30.4.2015.

3.With the above direction, the Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To
The Principal District Munsif, Tiruchirappalli.
+lcc to M/S. M.Sidharthan, Advocate in SR.No. 9443