

THE HON'BLE MR JUSTICE R. KANTHA RAO

Civil Revision Petition No.4116 of 2015

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ORDER:

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This civil revision petition is filed under Article 227 of the Constitution of India questioning the action of the learned II Additional District Judge, Amalapuram in repeatedly returning the plaint, without deciding finally whether to register the same as suit or not, amounts to non-exercise of jurisdiction conferred on it.

Heard the learned counsel appearing for the revision petitioner.

It is submitted by the learned counsel appearing for the revision petitioner that the plaint presented by the petitioner-plaintiff was returned by the trial Court on 16.06.2014 with an objection 'as to how the suit is maintainable'. Thereafter, the matter was represented by the learned counsel appearing for the petitioner. Despite the fact, it is submitted that the Court below has been returning the plaint repeatedly without passing any orders.

In the above circumstances, the learned II Additional District Judge, Amalapuram is directed to pass a judicial order in O.S. (SR) No.2230 of 2014 in accordance with the provisions of Order VII of C.P.C. within a period of two weeks from the date of receipt of a copy of this order.

The revision petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, filed in this revision shall stand closed.

Date:09.10.2015. R. KANTHA RAO, J

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HON'BLE MR JUSTICE R. KANTHA RAO

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