

App.No.7998 of 2015
in A.No.6051 of 2015 in
C.S.Diary No.34597 of 2015

K.K.SASIDHARAN, J.

The applicant has filed an application in A.No.6051 of 2015 for permission to file the suit in the representative capacity and the same was rejected by the learned Master by a non speaking order. Seeking to set aside the said order, the applicant has come up with this miscellaneous application.

2. Heard the learned counsel for the applicant and the learned counsel for the respondents.

3. The applicant in A.No.6051 of 2015 indicated the reasons which made him to file the suit in the representative capacity. The application was opposed by the respondents.

4. Learned Master without considering the merits of the matter simply stated that there are no merits to allow the application and accordingly dismissed the application. The order passed by the learned Master is bereft of reasons. This is not the way in which an application should be disposed of by the Master. When the orders are amenable for

revision or appeal, necessarily reasons should be supplemented. Unfortunately, the learned Master failed to indicate any reason much less justifiable reason, to reject the application. I am, therefore of the view that matter requires fresh consideration.

5. The order dated 08.12.2015 is set aside and the Application No.6051 of 2015 is restored to file. The learned Master is directed to pass orders afresh after hearing the parties concerned. Such exercise shall be completed within a period of three weeks from the date of receipt of a copy of this order.

The application is allowed as indicated above.

23.03.2016

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