

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

C.R.P.(NPD).No.1420 of 2016

K.AbdulKabar

... Petitioner

Vs.

S.SairaBanu

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the copy application made in C.A.No.311 of 2016 which was returned by the Principal District Munsif Court, Gingee on 21.03.2016.

For Petitioner : Mr.T.Dhanasekaran

ORDER

Challenging the order dated 21.03.2016 returning the Copy Application, the Judgment Debtor has filed the above Civil Revision Petition.

2.The revision petitioner applied for the certified copies of the order passed in E.P.No.75 of 2013 in E.A.No.22 of 2016 before the Principal District Munsif Court, Gingee. The Copy Application filed by the

petitioner was returned by the Execution Court raising a query with regard to the maintainability of the application. Though the Execution Court had granted a week's time for re-presenting the application, instead of re-presenting the application, the Judgment Debtor has filed the above Civil Revision Petition.

3. In these circumstances, I am of the view that the Judgment Debtor can be given an opportunity to re-present the papers and convince the Execution Court with regard to the maintainability of the application. Accordingly, I give liberty to the revision petitioner/Judgment Debtor to re-present the Copy Application in C.A.No.311 of 2016 before the Principal District Munsif Court, Gingee within a period of one week from the date of receipt of a copy of this order and convince the Execution Court with regard to the maintainability of the application. The Execution Court shall decide the question with regard to the maintainability of the application within a period of one week from the date of re-presentation of the papers.

4. With these observations, the Civil Revision Petition is dismissed.

No costs.

Index : No
Internet : Yes
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02.06.2016

To

The Principal District Munsif Court,
Gingee.

M.DURAIWAMY,J.
va

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