

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

C.R.P.(NPD).Nos.2103 & 2104 of 2016

Appanna Chettiar

... Petitioner in both C.R.Ps

Vs.

1.The Deputy Registrar,
Co-operative Societies,
Gobi Circle, Pudupalayam Main Road,
Gobichettipalayam and Taluk,
Erode District.

2.The Special Officer,
AA 551, Kolandapalayam Primary Agricultural
Co-operative Bank Ltd.,
Kolandapalayam and Post,
Gobichettipalayam Taluk,
Erode District.

... Respondents in both C.R.Ps

Civil Revision Petitions filed under Article 227 of the Constitution of India to direct the Subordinate Judge, Gobichettipalayam to number the Appeals presented by the petitioner herein in A.S.SR.Nos.6228 & 6231 of 2015 on the file of the Subordinate Judge, Gobichettipalayam.

For Petitioner in both C.R.Ps : Mr.R.Marudhachalamurthy

COMMON ORDER

The appellant in A.S.SR.Nos.6228 & 6231 of 2015 on the file of the Subordinate Court, Gobichettipalayam as against the judgment and decree

passed in O.S.Nos.369 & 368 of 2009 on the file of the District Munsif Court, Gobichettipalayam, has filed the above Civil Revision Petitions challenging the return made by the Lower Appellate Court. The Lower Appellate Court returned the papers stating that the Description of property was not correctly given by the appellant.

2.The learned counsel appearing for the appellant submitted that inspite of re-presenting the papers with endorsement, the Lower Appellate Court has not numbered the appeals yet. However, no oral submission was made before the Lower Appellate Court with regard to the return made by the Registry of the Court.

3.In these circumstances, I am of the view that the appellant in A.S.SR.Nos.6228 of 2015 and 6231 of 2015 can be given an opportunity to make his submission before the Lower Appellate Court with regard to the return made by the Registry of the Court. Accordingly, I give liberty to the revision petitioner/appellant to make his submission with regard to the maintainability of the Appeals as well as the return made by the Lower Appellate Court within one week from the date of receipt of a copy of this order. The Lower Appellate Court viz., the Subordinate Court, Gobichettipalayam is directed to consider the submissions made by the

learned counsel appearing on behalf of the revision petitioner/ appellant and decide the matter, on merits and in accordance with law, within one week thereafter.

4. With these observations, the Civil Revision Petitions are disposed of.

No costs.

Index : No

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Internet : Yes

va

Note: (i) Issue order copy on 14.07.2016.

(ii) The Registry is directed to return the certified copies of the order made in A.S.SR.Nos.6228 & 6231 of 2015 to the learned counsel for the petitioner.

To

The Subordinate Court,
Gobichettipalayam.

M.DURAIWAMY,J.
va

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