

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28-07-2016

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.2220 of 2016

Manimaran

.... Petitioner

vs

1.P. Muthulakshmi
2.Dhanasekaran
3.C. Ayyanar

... Respondents

Civil Revision Petition filed under Section 227 of the Constitution of India against returning the plaint in O.S.S.R.No.7489 of 2016 on the file of District Judge, Villupuram.

For Petitioner : Mr.S. Arokia Maniraj

ORDER

Challenging the order made by the District Court, Villupuram, returning the unnumbered suit in O.S.S.R No.7489 of 2016, raising a query with regard to the maintainability of the suit, the plaintiff has filed the above Civil Revision Petition.

2. According to the petitioner, the suit is maintainable and that, he

represented the papers, making necessary endorsement, however, no oral submissions was made before the trial Court with regard to the maintainability of the suit.

3. In these circumstances, I am of the view that the plaintiff can be given an opportunity to make his oral submissions before the trial Court with regard to the maintainability of the suit. With these observations, the Civil Revision Petition is disposed of.

4. The petitioner/plaintiff is given liberty to make his oral submissions before the District Court, Villupuram with regard to the maintainability of the suit within a period of one week from the date of receipt of a copy of this order and after hearing the oral submissions on behalf of the plaintiff, the trial Court is directed to decide the issue with regard to the maintainability of the suit within one week thereafter.

5. Registry is directed to return the original plaint to the learned counsel for the petitioner.

No costs.

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sr

Index:no
website:yes

To

The District Court, Villupuram

M. DURAISWAMY,J.,

sr

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