

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.01.2016

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.264 of 2016 &

C.M.P.No.1252 of 2016

R.Subashini

... Petitioner

v.

1.R.Lakshmi
2.S.Saravanan

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Principal District Munsif Court, Salem to number the petition in R.E.A.SR.No.18236 of 2015 in R.E.P.No.128 of 2005 in R.C.O.P.No.11 of 2014 on his file and decide the same on merits .

For Petitioners : Mr.R.Ezhilarasan

For Respondents : Mr.M.Ravi

ORDER

The judgment debtor has the above Civil Revision Petition challenging the docket order dated 22.12.2015 passed by the Principal District Munsif Court, Salem, returning the papers raising a query with regard to maintainability of the application.

2. On a perusal of the papers, it could be seen that the revision petitioner had approached this court under Article 227 of the Constitution of India even without representing the papers before the Principal District Munsif Court, Salem. The petitioner should have convinced the Execution Court with regard to maintainability of the application and made her submissions with regard to the same before the Execution Court.

3. As already stated, in the case on hand, even without representing the papers before the Execution Court, the petitioner has approached this court. In these circumstances, I give liberty to the petitioner to make her submissions with regard to maintainability of the application before the Principal District Munsif Court, Salem, within a period of one week from the date of receipt of a copy of this order.

With this observation, the Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes/No

29.01.2016

Note : (i) Issue copy of the order by 01.02.2016

(ii) Registry is directed to return the original application filed by the revision petitioner in R.E.A.SR.No.18236/2015 in R.E.P.No.128/2005 in R.C.O.P.No.11/2014 to the learned counsel for the petitioner.

Rj

To

The Principal District Munsif Court,
Salem

M. DURAISWAMY,J.,

Rj

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