

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

C.R.P.(NPD).Nos.2769 & 2770 of 2016
and C.M.P.No.12368 of 2016

Poongavanam (Died)

1.Veerammal ... Petitioner in C.R.P.(NPD).No.2769/2016

Madurai Mannan (Died)

1.Malarvizhi

2.Mohana

3.Venkatesaprabu ... Petitioner in C.R.P(NPD).No.2770/2016

Vs.

The Revenue Divisional Officer,
Thiruvannamalai District,
Tiruvannamalai.

... Respondent in both C.R.Ps

Civil Revision Petitions filed under Article 227 of the Constitution of India against the order dated 03.08.2016 returning the un-numbered application R.E.A.(SR)No.3849 of 2016 in L.A.O.P.No.43 of 2002 and R.E.A.(SR)No.3850 of 2016 in L.A.O.P.No.76 of 2000 on the file of the Principal Subordinate Court, Tiruvannamalai.

For Petitioners : Mr.C.Mahendran
(in both C.R.Ps)

COMMON ORDER

Challenging the docket order passed in R.E.P.(SR)No.3849 of 2016 in L.A.O.P.No.43 of 2002 and R.E.P.(SR)No.3850 of 2016 in L.A.O.P.No.76 of 2000 on the file of the Principal Subordinate Court, Tiruvannamalai, the claimants have filed the above Civil Revision Petitions.

2.The Executing Court returned the Execution Petitions filed by the claimants pointing out some defects in the petitions. Instead of re-presenting the papers by complying with the defects pointed out by the Registry of the Executing Court, the claimants have approached this Court under Article 227 of the Constitution of India. It is the bounden duty of the claimants to comply with the defects pointed out by the Executing Court and to re-present the papers and if the papers are in order, the Executing Court can number the Execution Petitions. If it is not so, the Executing Court has to return the papers. When the Executing Court had pointed out some defects in the papers, it is the duty of the claimants to re-present the papers after complying with the defects.

3.In these circumstances, I do not find any reason to interfere with the docket order passed by the Executing Court. Hence, the Civil Revision Petitions does not warrant interference and it is open to the claimants to re-present the papers after complying with the defects pointed out by the

Executing Court.

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

No costs.

Index : No
Internet : Yes
va

02.09.2016

Note: Registry is directed to return the original petitions in R.E.P.(SR)No.3849 of 2016 in L.A.O.P.No.43 of 2002 and R.E.P.(SR)No.3850 of 2016 in L.A.O.P.No.76 of 2000 to the learned counsel for the petitioners.

To

The Principal Subordinate Court,
Tiruvannamalai.

M.DURAIWAMY,J.
va

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