

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.635 of 2016

and

C.M.P.No.3290 of 2016

P.Balaji

... Petitioner

..VS..

Ms.Usha

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India praying for against the docket order in I.A.SR.No.39376 of 2015 in O.S.No.5316 of 2011 on the file of the VI Assistant City Civil Court, Chennai dated 11.09.2015.

For Petitioner : Mr.P.Venugopal

For Respondent : Mr.M.Rajaraman

ORDER

This revision arises against the docket order of learned VI Assistant City Civil Judge, Chennai, passed in I.A.SR.No.39376 of 2015 in O.S.No.5316 of 2011 on 11.09.2015.

2. Heard learned counsel for petitioner and learned counsel for respondent.

3. A perusal of the order challenge reveals that an application has been rejected at the un-numbered stage by getting into merits of the case. It is not open to the Court to deal with the merits of the case at such stage.

4. The order of learned VI Assistant City Civil Judge, Chennai, passed in I.A.SR.No.39376 of 2015 in O.S.No.5316 of 2011 on 11.09.2015, is set aside. The Court below is directed to the number the un-numbered I.A.No.SR.No.39376 of 2015 and dispose of the same on merits.

5. The Civil Revision Petition is disposed of with the above direction. No costs. However, considering the submissions of learned counsel for caveator/respondent that the petitioner unduly is protracting proceedings before the Court below, this Court directs the Court below to dispose of the proceedings as expeditiously as possible. Consequently, connected Miscellaneous Petition is closed.

15.06.2016

Index:yes/no

Internet:yes
nvi

To

The VI Assistant City Civil Court, Chennai

C.T.SELVAM, J

nvi

Civil Revision Petition (PD) No.635 of 2016

15.06.2016