

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.03.2016

CORAM

THE HONOURABLE Mr. JUSTICE P.R.SHIVAKUMAR

C.R.P.No.696 of 2016

and C.M.P.No.3574 of 2016

T.Munusamy

...Petitioner/Petitioner

Vs.

1. C.Manohar

2. M.Pushpa

3. D.Ravi

4. The Village Administrative Officer,
Nanmangalam Village,
Kovilambakkam,
Chennai - 600 117.

5. The Tahsildar,
Sholinganallur Taluk,
Kancheepuram District.

... Respondents 1 to 5/Plaintiffs/Defendants

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 22.12.2015 passed in I.A.No.1687 of 2013 in O.S.No.360 of 2013 on the file of Additional District Munsif Court, Alandur.

For Petitioner : Mr.N.Rajan

For Respondents : No Appearance

O R D E R

A third party to the suit, who filed an application for getting himself impleaded as a party defendant, after suffering an order of dismissal of his application, has approached this Court with the present Civil Revision Petition under Article 227 of the Constitution of India. The matter stands listed today for admission.

2. This Court came across a discrepancy in the affidavit filed in support of the impleading petition and the prayer made in the impleading petition. The impleading petition

has also been filed quoting a wrong provision. When the same is pointed out to the learned counsel for the petitioner, the learned counsel submits that clerical errors crept in and the clerical errors are technical defects and that the petition for impleading may fail on such technical ground alone. Based on the said submission, the learned counsel for the petitioner prays for the permission of this court to withdraw the application, namely, I.A.No.1687 of 2013 for impleadment with liberty to file a fresh petition before the trial Court, which shall be bereft of such mistakes.

3. The prayer made on behalf of the petitioner is accepted and the order of dismissal of the application in I.A.No.1687 of 2013 made by the trial Court is modified into one of a order of dismissal of the said application as withdrawn with liberty to file a fresh application within two weeks from today without mistakes. In case such a fresh application is filed, the learned trial Judge shall take up the application and dispose of the same expeditiously, preferably within a period of six weeks thereafter.

4. The Civil Revision Petition shall stand disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.
mrp

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The Additional District Munsif Court,
Alandur.

+ 2 ccs to Mr.N.Rajan, Advocate Sr 16233

KR/17/3/16

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