

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2017

CORAM

THE HONOURABLE **Mr.JUSTICE D. KRISHNAKUMAR**

CRP NPD.NOS.1488/2017 & 1489/2017

Ramasamy Reddiyar (died),

1.S.Malliga

2.Amudha

3.Sudha

..Petitioners in

CRP No.1488/2017

1.C.Saraswathi

2.Saravana Babu

3.pappathi

..Petitioners in

CRP No.1489/2017

-Vs-

1.The Managing Director,
Tamil Nadu State Transport
Corporation Ltd.,
No.12, Ramakrishna Road,
Salem-636 007.

2.The Branch Manager,
State Bank of India,
S.M.E.Branch,
New Name Commercial Branch,
Salem-7.

..Respondents in
both CRP's

COMMON PRAYER : Civil Revision Petitions filed under Section 115 of the

Civil Procedure Code to direct the Special District Judge of Salem, to take on file, number and dispose of R.E.P.SR.No.1628 of 2017 in R.E.P.No.79 of 2015 in M.C.O.P.No.94 of 2012 and R.E.P.SR.No.1629 of 2017 in R.E.P.No.80 of 2015 in M.C.O.P.No.1825 of 2011 so as to realize the award amount by the petitioners.

For Petitioners : Mr.M.Elango
(in Both CRPs)

COMMON ORDER

According to the petitioners in both Civil Revision Petitions, they have filed applications under Order 21 rule 11 of Civil Procedure Code, against the 2nd respondent/Garnishee.

2. On perusal of the records, it is seen that those applications were returned on 28.03.2017 with an endorsement "The petitioner has to state under what provision of law, order of arrest can be ordered against the Garnnishee/Bank Manager, who is not a respondent." However, the petitioners without representing those applications, filed the present Civil Revision Petitions before this court. Hence, at this stage, I am not inclined to entertain the Civil Revision Petitions. However, liberty is granted to the petitioners to represent the applications by stating the provision of law, pointed out by the Court below.

4. With the above direction, the Civil Revision Petitions are dismissed. No costs.

21.04.2017

KP

Index: Yes/No

Internet: Yes/No

Speaking Order/Non Speaking Order

To

The Special District Court,
Salem.

D.KRISHNAKUMAR, J.

KP

CRP NPD.NOS.1488 & 1489/2017

21.04.2017

C.R.P.(NPD) Nos.1488 and 1489 of 2017

D.KRISHNAKUMAR,J.

The matter is today listed under the caption 'for being mentioned' at the instance of the learned counsel appearing for the petitioners.

2.The learned counsel appearing for the petitioners submitted that the original application in R.E.P.SR.No.1628 of 2017 and R.E.P.SR.No.1629 of 2017 have been filed along with the civil revision petitions and requested that the same may be returned to him.

3.Considering the submissions of the learned counsel appearing for the petitioners, Registry is directed to return the original application in R.E.P.SR.No.1628 of 2017 and R.E.P.SR.No.1629 of 2017, after obtaining copies of the said applications, to the learned counsel appearing for the petitioner.

17.05.2017

pri/lpp

Note: Issue order copy on 19.05.2017.

D.KRISHNAKUMAR,J.

pri/lpp

**C.R.P.(NPD) Nos.1488
and 1489 of 2017**

17.05.2017