

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P.(PD).No.358 of 2017
and
C.M.P.No.1613 of 2017

1. Nanjammal
2. Karthikeyan
3. Vijayakumar

.. Petitioners

Vs.

1. Rajasekaran
2. Vanjiammal

.. Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, against the docket order, dated 25.01.2017 in un-numbered I.A. of 2017 in O.S.No.500 of 2012 on the file of the Additional District Court No.1, Tiruppur.

For petitioners : Ms.P.T.Asha for M/s.Sarvabhauman Associates

ORDER

The defendants 3 to 5 have taken up an application under Section 151 CPC seeking direction to refer the second defendant "Subramaniam @ Chinnathambi" to the medical examination of his mental health in any one

of the Government Medical College Hospital and to file a report. The said application has been rejected by the trial Court without even numbering the same, on the ground of res-judicata. Without going into the merits in this Civil Revision Petition, the learned Additional District Judge No.1, Tiruppur is directed to number the said I.A. and dispose of the same. on merits and in accordance with law, after giving due notice and sufficient opportunities to both parties to adduce evidence. After hearing both sides, the said I.A. shall be disposed of within a period of four months from the date of receipt of a copy of this order. With this direction, the Civil Revision Petition is disposed of. No costs. C.M.P. is closed.

08.02.2017

CS

Copy to

The Additional District Judge-1, Tiruppur.

PUSHPA SATHYANARAYANA, J

CS

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