

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

C.R.P.(PD).No.829 of 2017

M.A.K.Srinivasan

... Petitioner

Vs.

1.V.Vijayalakshmi

2.V.Adithya

3.V.Shanmathi

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the proceedings in O.S. unnumbered of 2017 on the file of the District Munsif Court, Gudiyatham.

For Petitioner : Mr.S.Santhan

ORDER

The plaintiff in the un-numbered suit in O.S.SR.No.690 of 2017 on the file of the District Munsif Court, Gudiyatham, has filed the above Civil Revision Petition to direct the trial Court to number the suit in O.S.SR.No.690 of 2017.

2.The learned counsel appearing for the petitioner submitted that the plaintiff was not given an opportunity to make his submissions with

regard to the maintainability of the suit. The trial Court had returned the papers raising a query with regard to the maintainability of the application.

3. In these circumstances, I am of the view that the plaintiff can be given an opportunity to make his submissions before the trial Court with regard to the maintainability of the application.

4. Accordingly, I give liberty to the plaintiff to make his submissions before the trial Court within a period of one week from the date of receipt of a copy of this order. If the trial Court is satisfied with the submissions made by the plaintiff, then the trial Court may number the suit, if it is otherwise in order. If the Court is not satisfied, the plaint can be returned.

5. With these observations, the Civil Revision Petition is disposed of.
No costs.

Index : No
Internet : Yes
va

07.03.2017

Note: Issue order copy on 09.03.2017.

To

The District Munsif Court,
Gudiyatham.

M.DURAIWAMY,J.
va

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