

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2017

CORAM

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

CRP(NPD)No.4514 of 2013

V.Lakshmi

.. Petitioner

Vs.

C.Lakshmi

..Respondent

Prayer: Civil Revision Petition filed under Section 115 of the Constitution of India, against the fair and decretal order dated 16.04.2012 made in unnumbered I.A. /2012 in O.S.No.123 of 2011, on the file of the Principal District Judge, Puducherry.

For Petitioner : Mr.R.G.Annamalai

For Respondent : Mr.T.Sathiyamoorthy

O R D E R

This Civil Revision Petition has been filed against the order in unnumbered I.A.of 2012 in O.S.No.123 of 2011, dated 16.04.2012, on the file of the Principal District Judge, Puducherry.

2. On fair reading of the order, the learned Judge without numbering the I.A., he simply rejected by stating that the present petition supported with the affidavit is filed on 16.04.2012 and the petition is dated 10.04.2012, since the affidavit is dated 16.04.2012, accordingly, he rejected the petition.

3. This order is totally non application of mind, if at all the learned Judge want to pass order either to dismiss or allow the application, he should number the application first and then by giving an opportunity to the petitioner as well as the respondent, thereafter, he should pass orders.

4. In the result, in the interest of justice, this civil revision petition is allowed by setting aside the order passed in unnumbered I.A. /2012 in O.S.No.123 of 2011, dated 16.04.2012, on the file of the Principal District Judge, Puducherry, and the matter is remanded back to the learned Principal District Judge, Pudhuchery, to number the unnumbered I.A., give notice to both the parties and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

5. Accordingly, the Civil Revision Petition is allowed. No costs.

03.01.2017

Index:Yes/No.
Internet:Yes/No.

vs

To
The Principal District Judge,
Pudhucherry.

M.V.MURALIDARAN, J.

VS

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<http://www.judis.nic.in>