

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED:14.06.2017

CORAM

WEB COPY

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**C.R.P. (MD)No.1121 of 2017 (NPD)****and****C.M.P. (MD)No.5109 of 2017**

R.Jeyaraman

.. Petitioner

Vs.

1.M.Pandiservai

2.M.Kesavan

.. Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct to number the unnumbered E.A. in D.No.3428 of 2017 in E.P.NO.6 of 2013 in O.S.No. 183 of 2004, learned District Munsif Court, Melur returned on 09.06.2017.

For Petitioner : Mr.Rupert J.Barnabas

For Respondents : No Appearance

ORDER

The revision petitioner who claims himself as the purchaser of the property which is now the subject matter of attachment of unnumbered E.A.in D.No.3428 of 2017 has filed Section 47 application in E.P.No.6 of 2013.

2.Heard the learned counsel appearing for the petitioner.

3.The said petition has been returned with a query "how this petition is maintainable". Since the petition has been returned without giving an opportunity for the revision petitioner to re-present and explain about the maintainability of the petition, the present revision petition has been filed.

4.In this circumstance, it is suffice to direct the revision petitioner to take back the papers and re-present the petition before the Execution Court, stating the reason for maintainability of the said petition. It is open to the Execution Court to satisfy itself about the reasons given by the revision petitioner, regarding the maintainability of the petition and pass appropriate order.



5. Thus, the revision petitioner is directed to take back the original petition filed before this Court and re-present the petition before the Execution Court, along with reasons regarding the maintainability of the same. With these above directions, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

The learned District Munsif,
Melur.

+1cc to M/S. T.VADIVELAN, Advocate, SR.No.60659.

C.R.P. (MD) No.1121 of 2017 (NPD)
and
C.M.P. (MD) No.5109 of 2017
14.06.2017

mm/mrn
SDS/GT/SAR 4/20.06.2017/2P/3C