



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2017

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CRP(PD) (MD)No.449 of 2017

K.R.Damodaran

... Petitioner/Petitioner

vs.

1)D.Kannan

2)A.Ravi Robinson

... Respondents/Respondents

Prayer:- Civil Revision Petition filed the Under Article 227 of Constitution of India, to set aside the endorsement dated 15.02.2017 made in unnumbered I.P.No of 2016 on the file of Subordinate Judge, Tuticorin and consequentially direct the Learned Subordinate Judge, Tuticorin to number the I.P filed by the petitioners and take on file and proceed the same in accordance with law.

For Petitioner

:Mr.T.Antony Arul Raj

ORDER

The insolvency petition filed by the revision petitioner was returned for compliance of certain defects. Instead of complying with the defects mentioned in the return, the revision petitioner has approached this Court for a direction to the Court below to take the insolvency petition on file and number it.

2.On going through the pleadings found in the I.P, this Court finds that the pleadings do not satisfy the mandatory requirement and ingredients for an Insolvency Petition. Therefore, the Trial Court has rightly returned the papers for proper compliance and to rectify the defects. Without curing the defects, the petitioner has approached this Court. Hence, this Court finds no merit in the revision petition.



3. At this juncture, the learned counsel seeks liberty to file a better petition before the Insolvency Court and canvass his case. There is no legal impediment to grant such liberty.

Accordingly, the Civil Revision Petition is dismissed with the liberty as prayed for. No costs.

Sd/-
Assistant Registrar(C)

/True Copy/

Sub Assistant Registrar

To

The Subordinate Court,
Tuticorin.

+1cc to Mr.T.ANTONY ARUL RAJ Advocate in SR. No.13923
nbi
JS/SKN/RSK/17.03.2017/2P-3C

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