



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2017

WEB COPY

CORAM :

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

C.R.P (MD) (PD) No.529 of 2017

C.R.Anand Educational Trust
Rep. by its Managing Trustee
1.R.Vedharajan
2.V.Mercy

... Petitioners/Petitioners/
Petitioners

Vs.

NIL

... Respondent/Respondent/
Respondent

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 24.01.2017 made in unnumbered I.A.No.____/2017 in Trust O.P.No.1/2010 on the file of Principal District Judge, Madurai.

For Petitioner : Mr.Suriya Narayanan

O R D E R

Unnumbered I.A. No.____/2017 in Trust O.P.No.1/2010 has been returned by the Office of Principal District Judge on the ground that the earlier cause of action for granting permission to mortgage the trust properties has fulfilled and the present I.A. for further development is not maintainable. Aggrieved by that, the revision petitioner has filed this revision petition under Article 227 of the Constitution of India with a prayer to number the I.A. and take it on file for adjudication.

2.On going through the affidavit filed along with the I.A., this Court finds that there is some missing facts, which need to be stated in the affidavit particularly, the purpose for which the loan to be utilised. It is not specific so the lower court has returned the petition to state the reason by way of cause of action for filing the I.A.



3. Therefore, with the observation that if the revision petitioner files application with all details which forces him to avail the loan by mortgaging the trust property, the lower court can consider it and dispose of it in accordance with law.

4. This civil revision petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (Co)

/True copy/

Sub Assistant Registrar

To

The Principal District Judge, Madurai.

+1 cc to Mr. R. Suriya Narayanan , Advocate in SR.No. 15284

Arul/Is

AE/MR/10.04.2017/2P/3C

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