



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2017

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

C.R.P (PD) (MD) No.712 of 2017

A.Albert : Petitioner/Plaintiff

vs.

1.MariyaPushpam
2.Jackulin
3.Anithapillai
4.Nimmy
5.Maharaja Pillai : Respondents/Defendants

PRAYER : Civil Revision Petition is filed under Article 227 of the Civil Procedure Code, to number the suit in O.S. SR.No.8086 of 2016 on the file of the Principal District Munsif, Kuzhithurai.

For Petitioner : Mr.C.K.M.Appaji

O R D E R

The revision petition is filed against the non numbering of the plaint filed for the relief mandatory injunction.

2.Perusal of the plaint indicates that for a sale deed executed in the year 1980, there is a charge for the balance consideration. Now, the plaintiff wants to discharge the charge created over the deed. Therefore, he has presented the plaint seeking mandatory injunction against the defendants.

3.The Trial Court has returned the plaint for non maintainability.

4.Since the plaint does not disclose any cause of action to entertain the suit, it is bound to be returned. This Court finds no error in returning the plaint by the Trial Court.

5.Therefore, the Civil Revision Petition is dismissed. The Revision Petitioner is permitted to take back the original papers filed along with this revision by substituting the same with photocopies. No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/



To

The Principal District Munsif,
Kuzhithurai.

WEB COPY +1 cc to Mr.C.K.M.Appaji , Advocate in SR.No. 51021

nbg

AE/RR/18.04.2017/2P/3C

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