

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 412 OF 2017

ORDER :

This Revision is directed against the docket order dated 22.08.2016 passed by the learned Principal Junior Civil Judge at Kavali, SPSR Nellore District, in C.F.No. 2323 of 2016 rejecting the plaint presented by the petitioner herein on the ground that it has not been accompanied by its duplicate, as mandated under Order VII Rule 11(e) of the Code of Civil Procedure.

On an earlier occasion, i.e. on 02.12.2016, in identical circumstances, this Court, while dealing with Civil Revision Petition No. 5793 of 2016 between the same parties, in the light of the authoritative pronouncement of the Apex Court in ***Salem Advocate Bar Association, Tamilnadu v. Union of India*** (AIR 2003 Supreme Court 189), set aside the order impugned therein directing the Court below to number the suit, subject to the petitioner complying with all other formalities.

In view of the same, let there be a similar order even in this Revision.

The Civil Revision Petition is accordingly, allowed. No costs.

Registry to append a copy of the order dated 02.12.2016 in Civil Revision Petition No. 5793 of 2016 to the order now passed.

The miscellaneous Applications, if any shall stand disposed of.

CHALLA KODANDA RAM, J

