

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20.06.2018**

CORAM:

THE HONOURABLE MR.**JUSTICE P.VELMURUGAN**

C.R.P.(PD) Nos.1808 & 1809 of 2018

V.Padmavathy (Died)
J.Vijayaraghavan

Vs.

... Petitioner in both the CRPs

Violet Navamani

...Respondent in both the CRPs

Prayer in both the CRPs: Civil Revision Petitions have been filed under Article 227 of Constitution of India to strike off the I.A.Nos.261 & 262 of 2015 in O.S.No.150 of 2013 on the file of the Subordinate Court, Vellore.

For petitioner : Mr.C.Prabakaran

For Respondent : Mr.B.Sundara Pandiyan

COMMON ORDER

These civil revision petitions have been filed seeking to strike off the I.A.Nos.261 & 262 of 2015 in O.S.No.150 of 2013 on the file of the Subordinate Court, Vellore.

2 The revision petitioners are plaintiffs and respondent is defendant in the suit in O.S.No.150 of 2013, which came to be decreed exparte in favour of the petitioners/plaintiffs by judgment and decree

dated 29.06.2015. The applications in I.A.Nos.261 & 262 of 2015 came to be filed by the respondent/defendant by one counsel namely G.Parthiban.

3 The learned counsel appearing for the petitioner contended that the counsel who filed the above applications on behalf of the respondent/defendant is not the advocate enrolled with neither the Bar Council of Tamil Nadu nor Pondicherry. Hence the very applications itself are not maintainable. The petitioner has also made complaints with regard to the same before various authorities. Hence the revision petitioner/plaintiff has preferred these revision petitions to strike off the applications in I.A.Nos.261 & 262 of 2015 in O.S.No.150 of 2013.

4 Heard the learned counsel appearing for the revision petitioner and perused the material available on record.

5 The main contention of the revision petitioner is that the applications filed by the counsel on behalf of the respondent/defendant is not an Advocate and he is not enrolled with the Bar Council of Tamil Nadu and Pondicherry. This Court is of the view that it is for the

respondent/defendant to take care on the issue, the revision petitioner need not question the same.

6 However, in order to meet the ends of justice, this Court directs the trial Court to summon the respondent/defendant/ deponent to appear before the trial Court and to confirm as to whether she has filed the above applications or not and also verify the fact that the counsel, who filed the above applications on behalf of the respondent/defendant is enrolled with the Bar Council or not and if no defects have been found, proceed with the matter in accordance with law or otherwise take necessary steps to rectify the same.

7 With the above directions, these civil revision petitions are disposed of. No costs.

सत्यमेव जयते

20.06.2018

Index:Yes/no

Internet : Yes/no

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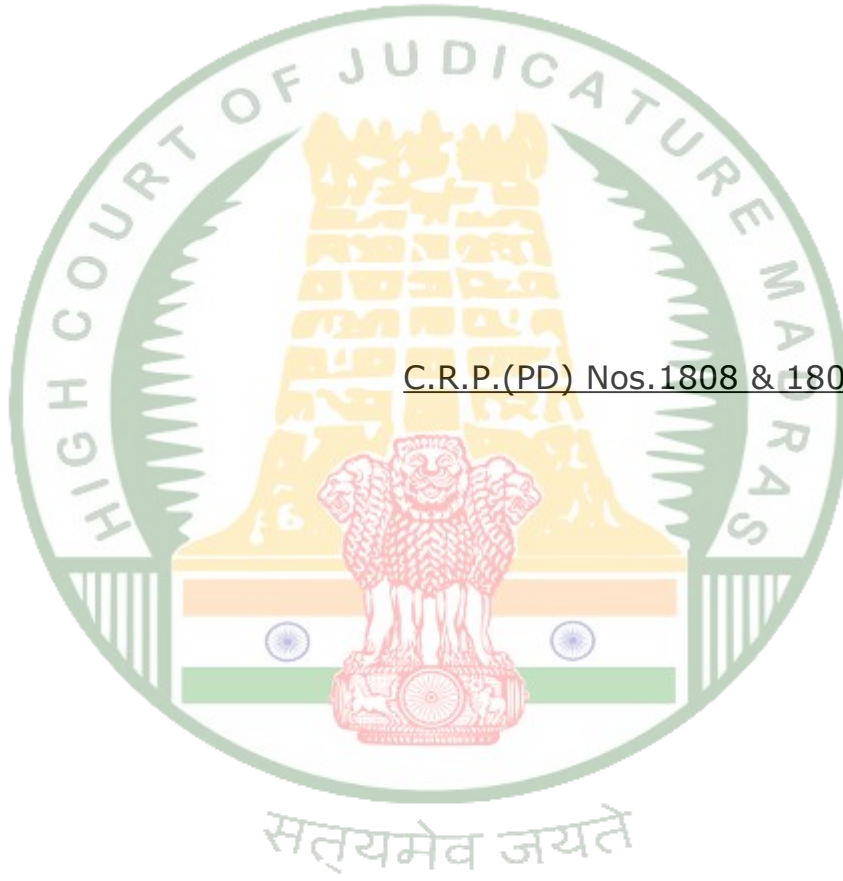
To

The Subordinate Court,
Vellore.

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P.VELMURUGAN, J.,

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