

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No. 784 of 2018

1. R. Samyloganathan
2. T. Samypunithavathy .. Petitioners

Vs

1. Sitrarasu
2. Nanthagobal
3. Sabarimalai
4. D. Premkumar
5. Selvi
6. Jeya
7. Jeyanthi
8. Vijaya
9. Sangeetha
10. Senthamaraikannan
11. Sivaraman
12. M. Balamurugan
13. R. Maanaveeran
14. V. Thanikachalam
15. N. Saravanan
16. Anandan
17. K. Thilagavathi
18. S.A. Koteeswaran
19. N. Selladurai
20. J. Jayaprakash
21. V. Jayamani
22. J. Kumudam
23. S. Purushotaman

- 24.C.Meenatchi
- 25.R. Thirumaran
- 26.P.Anbazhagan
- 27.K.Manimegalai
- 28.K.Mani
- 29.S.Kumar
- 30.R.Krishnamoorthy
- 31.R.Guruprasadh
- 32.N.Shobana
- 33.G.Palanivelammalle
- 34.N.S.K.Valshala
- 35.R.S. Pandiyan
- 36.G.Kuppusamy
- 37.S.Rajadurai
- 38.K. Velmurugan
- 39.M.Robert Joseph
- 40.S.Ravikumar
- 41.N.Kalpana
- 42.R.Ramadas
- 43.R.Jayanthi
- 44.P.Kumar
- 45.V.Kumar
- 46.P.Anbarasan
- 47.J.Sivakumar
- 48.T. Arul
- 49.R. Madhioli
- 50.M.Rajakumaran
- 51.P.Santhi
- 52.Natarajan Ganesh
- 53.C.T. Natarajan
- 54.D. Sigamani
- 55.N. Vairakannu
- 56.A. Sivakumar
57. The President

Marugur Panchayat Union
Panruti Taluk, Cuddalore District.

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, seeking to set aside the Return Docket Order passed by the learned Subordinate Judge in O.S. No. unnumbered /2018 dated 16.02.2018.

For Petitioners : Mr. B. Balavijayan

ORDER

This revision petition is filed seeking to set aside the Return Docket Order passed by the learned Subordinate Judge in un numbered O.S. No. of 2018 dated 16.02.2018.

2. The learned counsel for the petitioners would submit that the petitioners have filed the suit for declaration and permanent injunction and presented the plaint on 25.01.2018. The trial court has returned the said plaint pointing out certain defects in the plaint. The return was complied with and the plaint was represented on 03.02.2018. Again on 16.02.2018, the court below returned the same, directing to explain the reason as to why the relief of declaration of title has not been sought by the petitioners. In the meantime, the petitioners have filed a memo stating that the suit is maintainable and the plaint has to be numbered. Challenging the said return, the present revision petition has been filed before this Court.

3. It is seen from the docket entries, the petitioners have

<http://www.judis.nic.in> not represented the plaint, subsequent to the return made on 16.02.2018

and only a memo has been filed. Without representing the said plaint, the petitioners have preferred this revision petition. At this stage, this Court is not inclined to entertain the Civil Revision Petition. However, liberty is granted to the petitioners to re-present the papers with proper explanation, to the satisfaction of the court below, within a period of two weeks from the date of receipt of a copy of this order. In the event of such re-presentation, the Subordinate Court, Panruti is directed to consider the same, if it is otherwise in order and number the application, in accordance with law.

4. The Civil Revision Petition is disposed of, with the above direction. No costs.

01.03.2018

Index : Yes/ No

Speaking order/ Non speaking order

Note: Registry is directed to return the original plaint to the petitioner after obtaining a copy of the same.

avr

To

The Subordinate Court
Panruti.



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D. KRISHNAKUMAR J.,

avr



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