

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2018

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

CRP.(NPD).No.3773 of 2018

Mrs.D.Amudha

..Petitioner

vs.

1.Mrs.P.Parimala

2.Mrs.S.Lashmi

3.Mrs.Brinda Sundararajan

4.P.R.Raghunath

5.Mrs.Niranjana Srinivasan

6.Mrs.Revathy Srinivasan

7.Mrs.P.Vedam

8.Mr.R.Parthasarathy

9.Mrs.R.Shantha

10.R.Srinivasan

11.N.R.Varadharajan

12.R.Manjula

13.N.R.Raghavan

.. Respondents

Prayer :- Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order and to number that O.S.SR.No.39107/2018, on the file of the I Assistant City Civil Court at Chennai dated 13.08.2018 and praying to set aside the same and allow the petition as prayed for.

For Petitioner : Mr. P.Sivamani

ORDER

The prayer sought for in the present petition is to set aside the order and to number that O.S.SR.No.39107/2018, on the file of the I Assistant City Civil Court at Chennai dated 13.08.2018.

2. Heard Mr. P.Sivamani, learned counsel appearing for the petitioner.

3. The question of limitation can be raised as an issue in the suit and as such, the trial Court may not be justified in rejecting the plaint even without numbering, since there is no procedure contemplated for such rejection either in the Civil Procedure Code or in the Civil Rules of Practice. Hence, the learned I Assistant Judge, City Civil Court, Chennai is called upon to

instruct his Registry to number the suit, if it is otherwise in order, within a period of one week.

The Civil Revision Petition is ordered accordingly. No costs.

05.12.2018

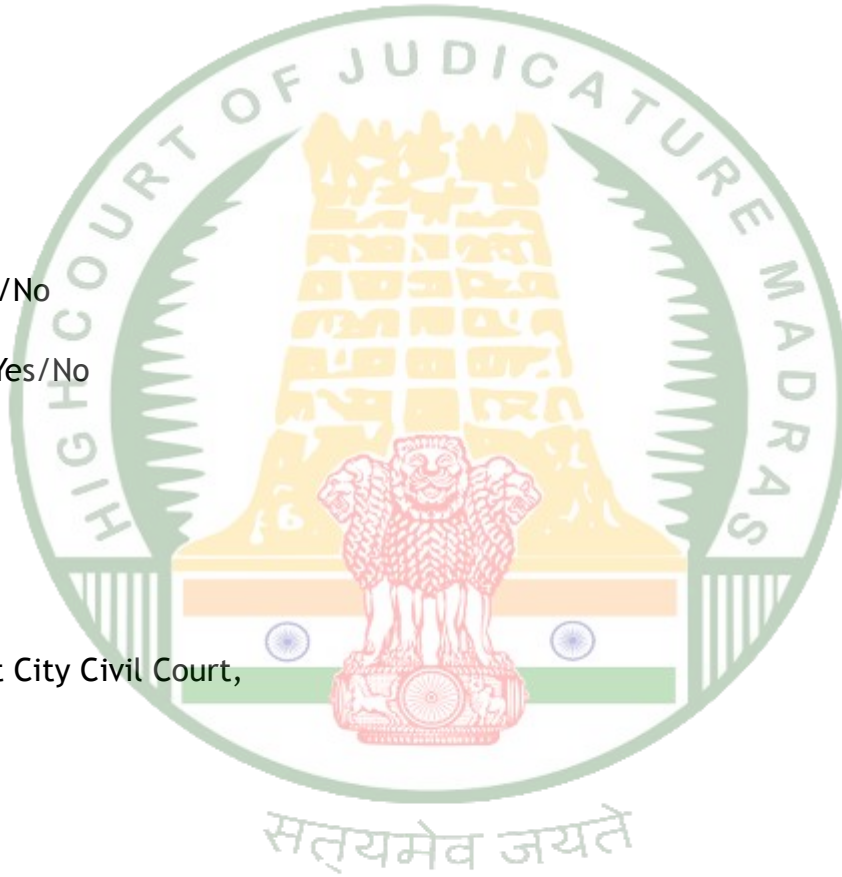
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Internet:Yes/No

vsn/dh

To

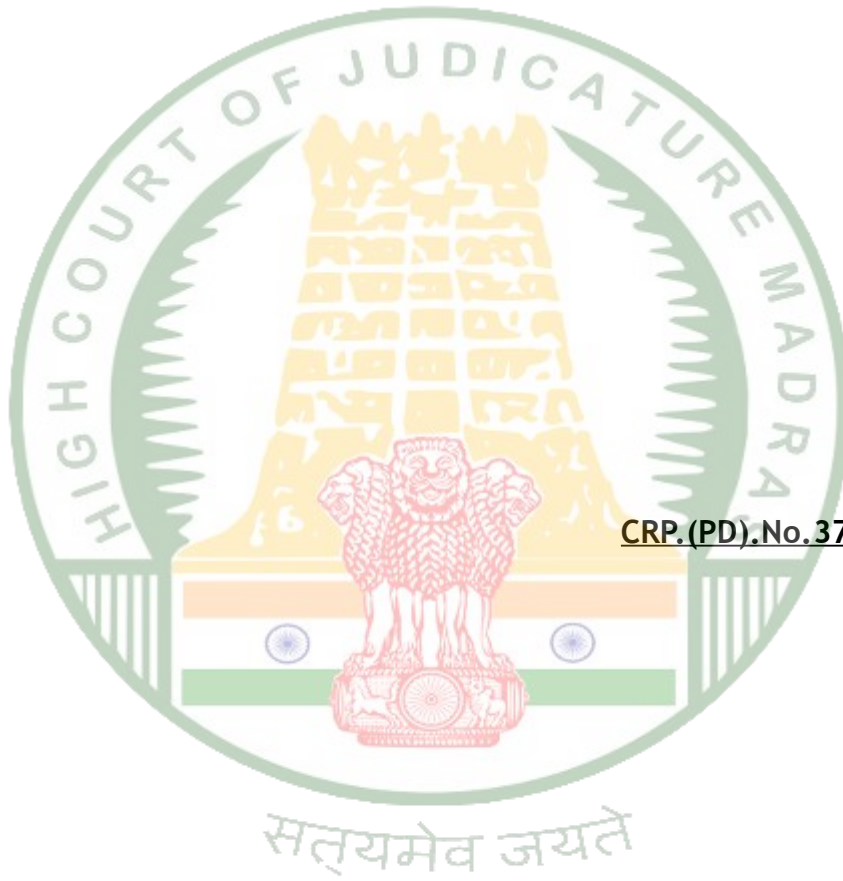
I Assistant City Civil Court,
Chennai



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M.S.RAMESH, J.

vsn/dh



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