

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

C.R.P. (PD) Nos. 3964 to 3967 of 2018

1. T.Nataraj

2. M.S.R.Subramaniam

...Petitioners in all CRPs

Vs

T.Mani

...Respondent in CRP (PD) 3964 /2018

P.Ravikumar

...Respondent in CRP (PD) 3965 /2018

K.Eswaran

...Respondent in CRP (PD) 3966 &

3967/2018

Common Prayer: Civil Revision Petitions filed under Article 227 of the Constitution of India to set aside the Docket order of return dated 29.10.2018 passed by the learned District Munsif, Avanasi in O.S.SR.Nos.5243, 5241, 5245 & 5244 of 2018.

For Petitioners

: M/s.A.Amutha Ganesh

in all CRPs

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COMMON ORDER

There is no provision contemplated either under the Civil Procedure Code or under the Civil Rules of Practice empowering the Registry of the trial

Court to raise questions on the valuation, which can be a legal issue before the Court. Even otherwise, the valuation for a declaratory relief of a sale agreement could be maintained in the suit and the Registry of the learned District Munsif, Avinashi, may not be justified in returning the plaint papers on this ground.

2. Hence, the learned District Munsif, Avinashi is called upon to instruct his Registry to number the suits in O.S.SR.Nos.5243, 5241, 5245 & 5244 of 2018, within a period of one week from the date of receipt of copy of this order, if it is otherwise in order.

3. Accordingly, the Civil Revision Petitions stand disposed of. No costs.

07.12.2018

Index:Yes/No

Speaking Order: Yes/No

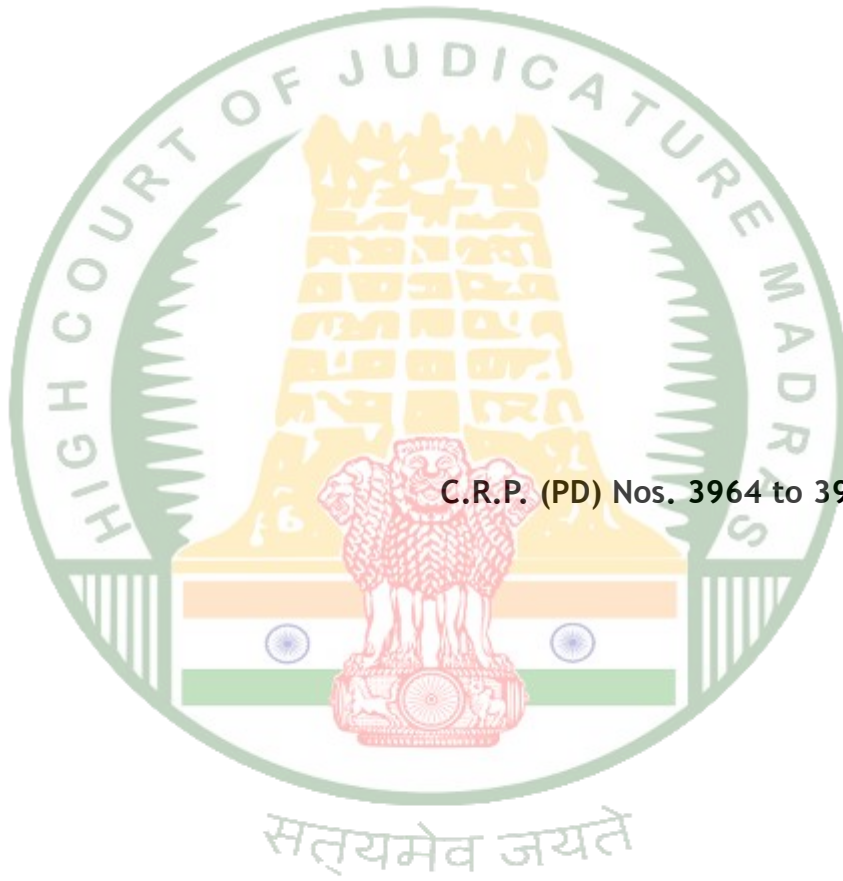
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(Note: Registry is directed to return the original plaint to learned counsel for the petitioner)

To
The District Munsif,
Avinashi

M.S.RAMESH.,J

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