



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.03.2018

CORAM:

THE HONOURABLE MRS.JUSTICE J. NISHA BANU

C.R.P (MD) No.560 of 2018 (PD)

Anantha Krishnan

.. Petitioner/Plaintiff

Vs.

Chinna Durai

.. Respondent/Defendant

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the learned District Munsif, Palani to number the unnumbered O.S.No.SR.5218 of 2017 and pass appropriate orders.

For Petitioner

: Mr. S.C.Herold Singh

ORDER

When the matter came up for admission on 15.03.2018, the learned counsel for the revision petitioner represented that without sufficient reason, the Court below has returned the plaint and considering the said submission, this Court directed the Court below to submit the report as to why the said plaint was returned.

2. Accordingly, the learned Judge has submitted her report, dated 26.03.2018, wherein it is stated that initially, the plaint was returned for complying with certain defects and thereafter, it was listed before the Court "for maintainability" and though it was listed on several dates, the learned counsel for the petitioner / plaintiff failed to appear before the Court and clarify the doubt arising in respect of the maintainability of the plaint and therefore, it was finally returned on 15.02.2018.

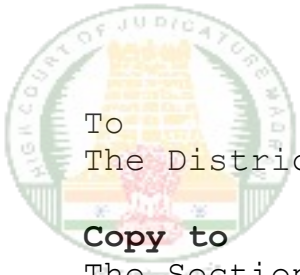
3. From the above report of the Court below, it is clear that it is the fault of the petitioner to appear before the Court and clarify the doubt arising in respect of the maintainability of the plaint. Therefore, the petitioner is directed to resubmit the plaint and clarify the maintainability of the plaint before the Court below forthwith.

4.This civil revision petition stands disposed of accordingly.
No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/



To
The District Munsif, Palani.

Copy to
The Section Officer
E.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.S.C.Herold Singh, Advocate, SR.No. 58786

order made in
C.R.P (MD) No.560 of 2018 (PD)
28.03.2018

gcg
AM/SKN RSK/SAR 4/18.04.2018/2P/4C