



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.V. MURALIDARAN

C.R.P(MD) .No.764 of 2018 and
C.M.P(MD) .No.3390 of 2018 and CRP(MD) .No.765 of 2018

P.Ramachandran

... Petitioner in both CRPs

Vs.

Tayub Haji Ismail

... Respondent in both CRPs

Common Prayer: These Petitions are filed under Article 227 of the Constitution of India against the petition and order dated 22.03.2018 passed in un-numbered I.A.SR.Nos.5055 and 5056 of 2018 in RCOP.No.18 of 2017 on the file of the Rent Controller / Principal District Munsif, Madurai.

For Petitioner ... Mr.R. Devaraj in both C.R.Ps.,

ORDER

These Civil Revision Petitions are filed against the petition and order, dated 22.03.2018, passed in un-numbered I.A.SR.Nos.5055 and 5056 of 2018 in RCOP.No.18 of 2017, on the file of the Rent Controller / Principal District Munsif, Madurai.

2. Heard the learned counsel appearing for the petitioner.

3. The petitioner, who is the respondent in RCOP.No.18 of 2017 has filed two un-numbered applications in I.A.SR.Nos.5055 and 5056 of 2018 in RCOP.No.18 of 2017, one for scrap the report of the Advocate Commissioner passed in I.A.No.70 of 2017 and another one for appointing a fresh Advocate Commissioner. On filing the said applications, the learned Judge without numbering both the applications, had simply rejected the same, on the ground that the petitioner already filed his objection, therefore, he has no right to scrap the Advocate Commissioner's report and the order of the learned Judge returning the petition without numbering the same is totally wrong.

<https://hcservices.ecourts.gov.in/hcservices> Considering the above facts and circumstances of the case, this Court is inclined to pass the following order:-



"The learned Principal District Munsif, Madurai, is directed to number both the un-numbered applications and pass appropriate orders within a period of two months from the date of receipt of a copy of this order, by giving notice to both parties."

5. With the above direction, these Civil Revision Petitions are disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

The Rent Controller / Principal District Munsif, Madurai.

Copy to:

1. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

2. The Section Officer,
ER/VR Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

+1cc to Mr. R. DEVARAJ, Advocate, SR.No. 60079

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C.M.P (MD) .No.3390 of 2018 and
CRP (MD) .No.765 of 2018
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TRP

KK/SV MMS/09.05.2018/SAR-2/2P-6C