



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) (PD) No.2372 of 2018

Ponsekar

... Petitioner

/Vs./

1.The Thasildar,
Land Acquisition,
Zirconium and Titanium Unit II,
District Collector Campus,
Korampalayam, Thoothukudi.

2.Union of India,
Represented by its Secretary,
Department of Atomic Energy,
Mumbai.

3.Gopal
4.Ramachandra Naidu
5.Saloman Nadar
6.SElvam
7.Santhiammal
8.Selvaraj Nadar
9.Aathikannu Nadar

... Respondents

Prayer: Civil Revision Petition - filed under Article 227 of the Constitution of India, to given suitable direction to number the IA for condoning the delay in filing the reopen petition in LAOP.No.37 of 1993 on the file of the learned Sub Court, Thoothukudi.

For Petitioner
For R-1

: Mr.T.Antony Arul Raj
: Mr.M.Karuppasamy

ORDER

The revision petitioner was one of the claimants in L.A.O.P.No.37 of 1993 on the file of the Sub Court, Thoothukudi. It appears that the said LAOP was closed due to certain reasons. The revision petitioner has now filed applications for reopening the same along with the petition for condoning the delay.



2. The grievance of the petitioner is that the said IA is not being numbered. Therefore, he has approached this Court.

3. This Court is of the view that the Court below is bound to number and dispose it or on merits and in accordance with law. The Court below cannot keep it in an unnumbered stage.

4. The learned counsel states that the said IA was filed on 19.04.2018.

5. In this view of the matter, the learned Sub Judge, Thoothukudi, is directed to number the IA filed on 19.04.2018 for condoning the delay in filing reopen petition in L.A.O.P.No.37 of 1993. This exercise shall be done as expeditiously as possible. Accordingly, this civil revision petition is allowed. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar(CS I)

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To

The Subordinate Judge, Thoothukudi.

1CC TO THE SPL GOVT PLEADER SR 92571

1CC TO MR. T. ANTONY ARUL RAJ, ADVOCATE SR 92176

DS RSK SAR 1

29 10 2018

2P 4C

Order made in
C.R.P. (MD) (PD) No.2372 of 2018

26.10.2018