



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

C.R.P. (PD) (MD) No. 1356 of 2018

V. Ilaiyaraja

... Petitioner

Vs.

1. S. Rayappan
2. S. John
3. K. Subramani
4. K. Chandran
5. D. Chelladurai
6. J. K. Sekar
7. V. Ramalingam
8. V. Radhakrishnan
9. Murugan

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Principal Sessions Judge to number the unnumbered I.P of 2018 on the file of the Principal Sub Court, Dindigul.

For Petitioner : Mr. S. Ashok Kumar

O R D E R

This Civil Revision Petition has been filed by the petitioner seeking to direct the learned Judge to number the unnumbered I.P of 2018 on the file of the Principal Sub Court, Dindigul.

2. Heard the learned counsel for the petitioner and perused the materials placed before this Court.

3. The petitioner has filed Insolvency Petition before the Principal Sub-Court, Dindigul and the said petition was returned on 12.06.2018 with the following endorsement:

"As per Insolvency & Bankruptcy Code, IP is maintainable before this Court to be clarified."

4. On a fair reading of the above endorsement, this Court is very shocking that when the Court is making any clarification to the petitioner, it is open by the petitioner and put to challenge by saying the proper provisions of the Act, but without doing so, the



petitioner has simply approached this Court and this Court cannot a party to the said proceedings by giving reply to the Court.

5. Without giving any reply of the returned endorsement made by the trial Court, the petitioner has approached this Court for the aforesaid relief, which is not acceptable one. Therefore, this Civil Revision petition is dismissed. However, this Court is inclined to direct the petitioner to represent the petition by giving proper reply to the order dated 12.06.2018 and the learned Principal Subordinate Judge, Dindigul, is directed to number the I.P, if it is otherwise in order. No costs.

Sd/-

Assistant Registrar (Crl. Side)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Session Judge,
Dindigul.
2. The Principal Subordinate Judge,
Dindigul.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1 CC to Mr. S. ASHOK KUMAR, Advocate in SR.No.71349

NS

RJ/SV/SAR-3/16/07/2018 - 2P/6C

C.R.P. (PD) (MD) No.1356 of 2018
05.07.2018