



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2018

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (PD) (MD) No.1336 of 2016

M.Azhaguraja

... Petitioner/Plaintiff

Vs.

1. The Thasildar
Thasildar Office,
Kodaikanal.
2. The District Collector,
District Collectorate,
Dindigul.
3. The Commissioner,
The Kodaikanal Municipality,
Kodaikanal.

... Respondents/Defendants

Prayer: Revision Petition - filed under Article 227 of the Constitution of India, to set aside the docket order dated 25.05.2016 made in O.S.No.Unnumbered of 2016 and to direct the learned District Munsif, Kodaikanal, to number the suit.

For Appellant : Mr.T.Lajapathi Roy

ORDER

The revision petitioner filed a plaint bearing A.No.1266, dated 29.04.2016 before the District Munsif Court, Kodaikanal seeking relief of permanent injunction. The suit was not numbered and returned on the ground that the original documents have not been enclosed along with the plaint. Contending that the suit ought to have been numbered and taken on file, the revision petition has been filed.

2. The learned counsel appearing for the revision petitioner pointed out that the Court below was not justified in going into the issue of documentary evidence even at the stage of numbering of the plaint.

3. This Court is in agreement with the aforesaid submission of the learned counsel appearing for the petitioner. The learned District Munsif, Kodaikanal is directed to number and take up the



suit and dispose of the same in accordance with law. Accordingly, the Civil Revision Petition is allowed.

4. The Registry is directed to return the Original plaint bearing A.No.1266 filed by the revision petitioner herein.

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Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The District Munsif, Kodaikanal.
 2. The Thasildar
Thasildar Office,
Kodaikanal.
 3. The District Collector,
District Collectorate,
Dindigul.
 4. The Commissioner,
The Kodaikanal Municipality,
Kodaikanal.
 5. The Record Keeper, Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)
- + 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 78487

SM
DS/RSK/SAR-3 : 04/09/2018 : 2P/8C

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