



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) .No.1888 of 2016

P.Balakrishnan

... Petitioner/Plaintiff

Vs.

1. P.Gurusamy
2. K.Kasirajan

... Respondents/Defendants

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Subordinate Judge, Madurai, to number the unnumbered O.S.SR.No.23100 of 2016 on the file of the Subordinate Court, Madurai, by allowing this Civil Revision petition.

For Petitioner : Mr.M.Muthugeethayan,
for Mr.D.Srinivasaragavan.

For Respondents : Mr.R.Vijayakumar,
for Mr.V.Panneerselvam.

O R D E R

The Revision petitioner filed a plaint bearing A.No.23100 of 2016 before the learned Subordinate Judge, Madurai, seeking the relief of partition. The Court below has declined to number the said suit. Questioning the same, the Civil Revision petition has been filed.

2. I am of the view that the Court below ought to go only by the plaint averments and not enter into the merits of the matter which may be the possible defence to take in future. The learned Subordinate Judge, Madurai, is directed to number the suit, if it is otherwise in order. The Civil Revision petition stands allowed, accordingly.

<https://hcservices.ecourts.gov.in/hcservices/>

3. Registry to return the original documents to the learned



counsel for the Revision petitioner for re-presentation before the concerned Court, after it is replaced by a photocopy of the same.

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Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-I)

To

The Subordinate Judge,
Madurai.

+ 1 CC TO Mr.D.SRINIVASARAGAVAN, ADVOCATE IN SR No. 82763
+ 1 CC TO Mr.V.PANNEERSELVAM, ADVOCATE IN SR No. 82889

PMU

TE/SKN/SAR-1 : 03/10/2018 : 2P/4C

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