



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
C.R.P. (PD) (MD) No.1507 of 2018

WEB COPY

S.A.Rajkumar

.. Revision Petitioner/Plaintiff

vs.

1.Jeyam
2.S.Rajam
3.A.Sankarraaj
4.A.Rengarajan
5.C.S.Ethirajulu
6.B.Sivaraman
7.R.Sivarani
8.S.Jegannathan
9.S.Rajaram
10.S.Kanagaraj
11.P.Chandran
12.Kanagavalli
13.Renugadevi
14.Rajeswari
15.G.Rajaraja Sekar
16. State of Tamil Nadu,
Represented by,
The District Collector,
Thoothukudi District.

17. The Tahsildar,
Taluk Office Building,
Kovilpatti- 628 501,
Thoothukudi District.

18. The Village Administrative Officer,
Ilayarasanendal Village,
Kovilpatti Taluk,
Thoothukudi District.

.. Respondents /Defendants

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the District Munsif Court, Kovilpatti to take on file the un-numbered O.S.SR.No.1250 of 2018 on the file of the learned District Munsif, Kovilpatti.

For Petitioner : Mr.S.Muthumalairaja

ORDER

The revision petitioner had filed the plaint bearing O.S.SR.No.1250 of 2018 before the District Munsif Court, Kovilpatti seeking certain relieves. The Court below has declined to number the

plaint. Therefore, the present civil revision petition has been filed.

2. When the matter was taken up for hearing, the learned counsel for the petitioner undertook to re-present the plaint by deleting prayer No.B. If prayer No.B is deleted, this Court is of the view that there cannot be any objection for numbering the suit as per the proviso of Section 14 of Tamilnadu Patta Passbook Act, 1983, which states that, if the aggrieved individual institutes a suit seeking the relief of declaration, the entry in the Patta Pass Book shall be amended in accordance with such declaration.

3. Therefore, recording the undertaking of the revision petitioner to delete prayer-B, this Civil Revision Petition is allowed by directing the learned District Munsif, Kovilpatti to number the plaint in question. Of course, the rights of the petitioners are not adjudicated and it will be open to the defendants to raise their objections upon their entering appearance in the suit. The Registry is directed to return the original plaint to the petitioner for re-presentation before the Court concerned. No Costs.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-III)

To

- 1.The District Munsif,
Kovilpatti.
- 2.The District Collector,
Thoothukudi.
- 3.The Tahsildar,
Taluk Office Building,
Kovilpatti- 628 501, Thoothukudi District.
- 4.The Village Administrative Officer,
Ilayarasanendal Village,
Kovilpatti Taluk, Thoothukudi District.

Copy to

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

+1CC TO MR.S.MUTHUMALAI RAJA,ADVOCATE IN SR.NO.81241.

PJL

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

DS SKN SAR-3 15.10.2018 2P/8C

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