



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) No.2047 of 2018

WEB COPY

Maruthai

.. Petitioner/Plaintiff

vs.

1.The Tamil Nadu Electricity Board,
by its Assistant Engineer(O&M) ,
Thuraiyur Taluk,
Trichy District.

2.The Tamil Nadu Electricity Board,
by its Junior Engineer (O&M) ,
Eragudi,
Thuraiyur Taluk,
Trichy District.

3. Alagumalai

4. Poomani

for herself and on behalf of two sons
as a Family Manager

.. Respondents/Defendants

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif, Thuraiyur to number the plaint presented in O.S.SR.No.911/3.9.2018 for disposal.

For Petitioner : Mr.V.Singan

ORDER

The revision petitioner filed the plaint for A.No.945 of 2018 before the District Munsif Court, Thuraiyur seeking the relief of permanent injunction against the TNEB. The Court below has declined to number the same by citing Section 41 of the Specific Relief Act. This Court is of the view that on the said ground, the Court cannot decline to number the suit.

2. The defendant can always raise all their objections after they enter appearance. The revision petitioner need not be shown the door at the very threshold. Therefore, this Civil Revision Petition is allowed. No Costs.



3. The Registry is directed to return the original plaint filed by the revision petitioner for re-presentation before the Court below.

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Sd/-

Assistant Registrar (RTI)

// True Copy //

Sub Assistant Registrar(CS-III)

To

1.The District Munsif,
Thuraiyur.

2. The Section Officer,
V.R.Section/ER. Section,
Madurai Bench of Madras High Court,
Madurai.(Directed to return the Original Plaint)(2 Copies)

+ 1 CC TO MR.V.SINGAN , ADVOCATE IN SR NO.85532

PJL

BU/PM/SAR-III :25.10.2018 : 2P/5C

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