

## IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.04.2019

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P.(PD).No.1347 of 2019

Dhanlaxmi Bank Ltd.,  
(Erstwhile The Dhanalakshmi Bank Ltd.,)  
Having its branch at No.318,  
Sri Muthu Plaza,  
Avinashi Road, Tirupur 641 602  
rep. by its Branch Manager, Tirupur ... Petitioner

Vs.

1. Authorised Person and District Revenue Officer,  
District Revenue Office,  
Collectorate, Tirupur.

2. Sri Vijayalakshmi Finance  
rep. by Deivasigamani @ Sofiya Tailor (died)

3. Sri Bhuvaneswari Finance  
rep. by Deivasigamani @ Sofiya Tailor (died)

4. Deivasigamani @ Sofiya Tailor (died)  
S/o.R.Duraisamy

5. Guru @ Parameswaran  
S/o. Deivasigamani @ Sofiya Tailor (died)

6. Kumar  
S/o.Pattappan @ Rangasamy

7. K.Raju @ Driver Raju

8. D.Saraswathi ... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India pleased to direct the learned Special Judge, The Tamil Nadu Protection of Interest of Depositors (Special Court), Coimbatore to number and entertain the unnumbered I.A SR.No.3961 of 2017 in O.A.No.19 of 2012

For Petitioner : Mr.S.Patrick

**ORDER**

The Civil Revision Petition has been filed to direct the learned Special Judge, The Tamil Nadu Protection of Interest of Depositors (Special Court), Coimbatore to number and entertain the unnumbered I.A SR.No.3961 of 2017 in O.A.No.19 of 2012

2. The learned counsel for the petitioner submitted that since the petitioner has sufficiently explained and complied with the Return order dated 29.11.2018 made by the learned Special Judge, Coimbatore he prays for a direction to number the unnumbered I.A.SR.No.3961 of 2017 in O.A.No.19 of 2012.

3. From a reading of the Return it appears that there is total non application of mind on the part of the learned Judge. Despite the petitioner complying/explaining the returns the learned Judge has mechanically

reiterated the returns without reference to the reasons/explanation given in the representation. Hence the learned Special Judge, Coimbatore is directed to number the unnumbered I.A.SR.No.3961 of 2017 in O.A.No.19 of 2012 forthwith. With these observations, the Civil Revision Petition is disposed of. No costs. Original I.A.Sr.No.3961 of 2017 has been returned to the learned counsel for the petitioner and he has also made an endorsement in the court bundle to that effect.

05.04.2019

Speaking order/Non-speaking order

Index : No

Internet : Yes

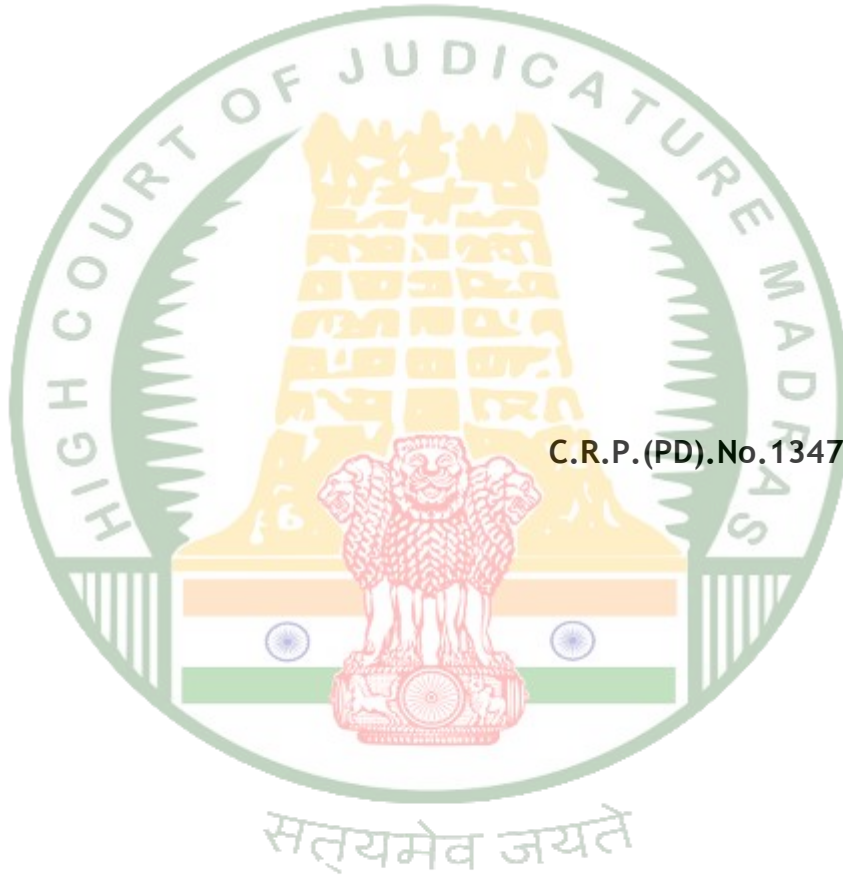
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To

The learned Special Judge,  
The Tamil Nadu Protection of Interest  
of Depositors (Special Court), Coimbatore.

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P.T.ASHA,J.  
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