

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.04.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(NPD)No.1102 of 2019

A.V.Shanmugam

... Petitioner

-VS-

1. The Commissioner
Greater Chennai Corporation,
Rippon Building,
Chennai-600003.

2. Regional Deputy Commissioner North
Greater Chennai Corporation,
Division No.62,
Unit No.14, Zone-V,
Chennai.

...Respondents

Prayer: Petition under Article 227 of the Constitution of India praying to set aside the docket order dated 21.02.2019 passed in O.S.SR.No.2376 of 2019 on the file of the I Assistant, City Civil Court, Chennai.

For Petitioner : Mr. K.P. Chandrasekaran

ORDER

The above Civil Revision Petition arises against the order passed by the learned I Assistant, City Civil Court, Chennai in rejecting the

P.T. ASHA, J.,

mrn
suit at the very initial stage of filing on the ground that the earlier decree passed in O.S.No.3162 of 1989 dated 25.10.1990, clearly empowers the Corporation to issue notice which is the subject matter of the present suit and that therefore the suit filed by the revision petitioner is not maintainable.

2. The land in question admittedly is a poramboke land which does not vest with the Corporation which is evident from the Judgement passed by this Court in case of ***The Corporation of Madurai Vs. K Sundara Thevar*** [reported in 95 L.W. Page 324]. The learned Judge is directed to number the Suit. The Civil Revision Petition is allowed on the above terms.

03.04.2019

Index : Yes/No
Internet : Yes/No
Speaking/non-speaking order

mrn

To
1.The I Assistant, City Civil Court,
Chennai.

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