

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.R.P.(PD)No.2398 of 2019
and
CMP.No.15655 of 2019

Govindaraj

... Petitioner

Vs.

1.C.Manickam

2.The Sub Registrar,
Attur, Attur Taluk,
Salem District.

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India against the order dated 21.01.2019 made in unnumbered original suit No. of 2019 on the file of the District Munsif, Attur.

For Petitioner : Mr.P.Ganesan

ORDER

The petitioner filed a suit in the year 2018 for declaration, to declare the sale agreement registered in the year 2010 as null and void. The suit

is filed in a representative capacity on behalf of the mentally ill person. The plaintiff has not produced any valid document to show that the mentally ill person was suffering from the disease at the time of entering into a contract and also did not produce any order regarding appointment of guardian. In the absence of any cause of action to declare the sale agreement as null and void, the trial Court has refused to entertain the plaint. The trial Court before rejecting the plaint has given an opportunity to the plaintiff who was represented by an Advocate to put forth his contentions, but the plaintiff has not appeared before the Court and therefore, the plaint was rejected.

2. I do not find any infirmity in the order passed by the trial Court. It is always open to the plaintiff to workout the remedy in accordance with law at any point of time.

3. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

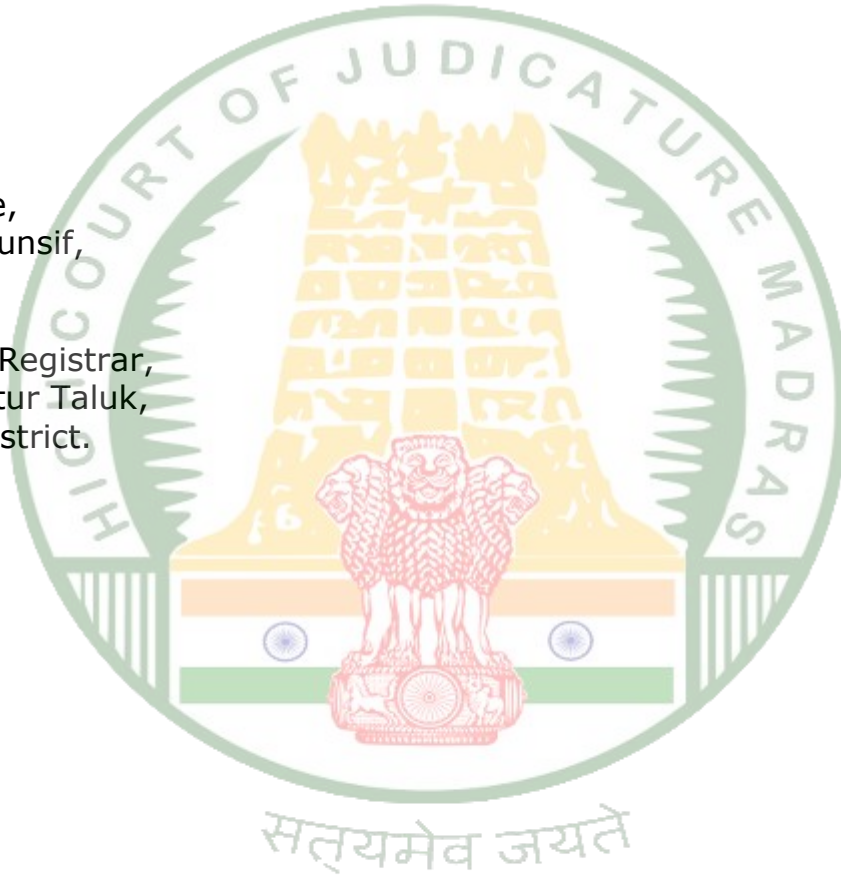
25.07.2019

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Index:Yes/No
Internet:Yes/No
Speaking Order/Non Speaking Order

To

- 1.The Judge,
District Munsif,
Attur.
2. The Sub Registrar,
Attur, Attur Taluk,
Salem District.

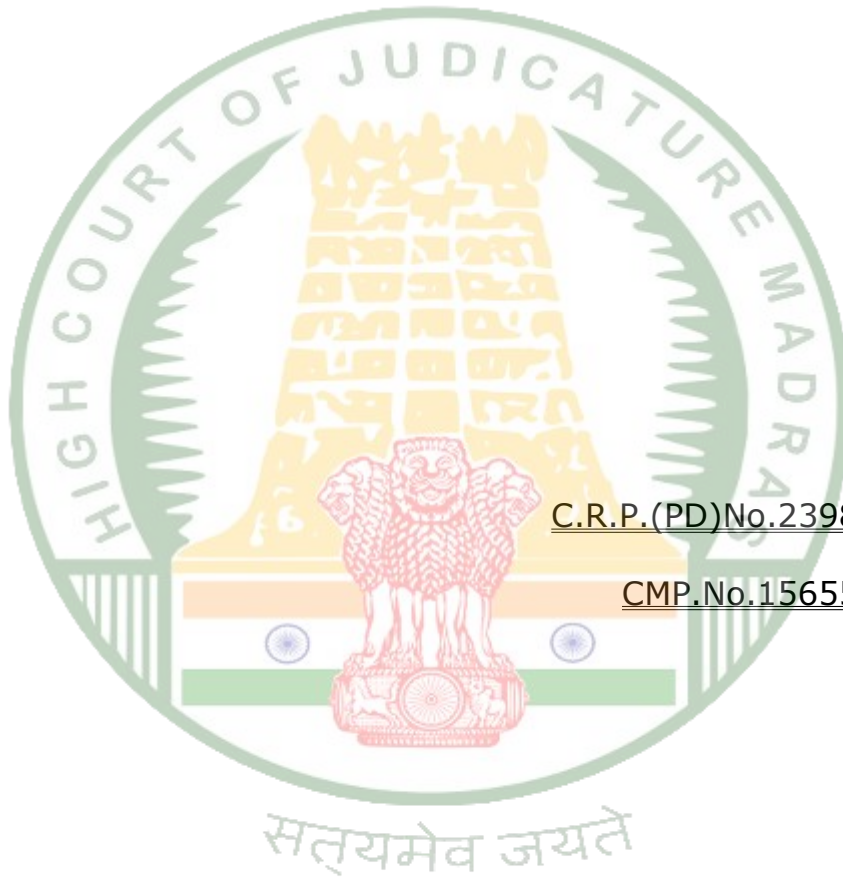


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M. GOVINDARAJ, J.

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