

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2019

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

CRP (PD) NO.2250 OF 2019

R.Govindaraj Achari

.. Petitioner

Versus

A.Bawarlal (Dead)

1.L.Anand Singhvi
2.B.Rajendra Kumar
3.B.Jaswanth Kumar
4.K.Pushpa
5.B.Suresh
6.B.Ramesh
7.A.Premalatha

.. Respondents

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India seeking for direction to number and dispose of I.A.S.R.No.1274 of 2019 in O.S.No.107 of 2014 on the file of the Principal District Court, Vellore.

For Petitioner : Mr.K.Govi Ganesan

ORDER

The revision petitioner is the defendant before the Trial Court. He filed an interlocutory application for framing preliminary issues as to the maintainability of the suit filed by the respondents / plaintiffs in O.S.No.107 of 2014 for suppression of the earlier suit filed by the revision petitioner in O.S.No.22 of 2012. The said interlocutory application was returned without being numbered. Aggrieved over the same, the petitioner is before this Court.

2. It is well settled in very many judgments of this Court that the Courts shall either number the petition and dispose it of or dispose of the same after giving an opportunity to the parties. Whereas, the procedure laid down in the Code of Civil Procedure and Civil Rules of Practice have not been followed. The interlocutory application came to be returned even without numbering the same. Hence, a direction is issued to the learned Principal District Judge, Vellore, to number the interlocutory application and dispose it of on merits and in accordance with law, as expeditiously as possible.

3. The Civil Revision Petition is disposed of with the above observation and direction. No costs.

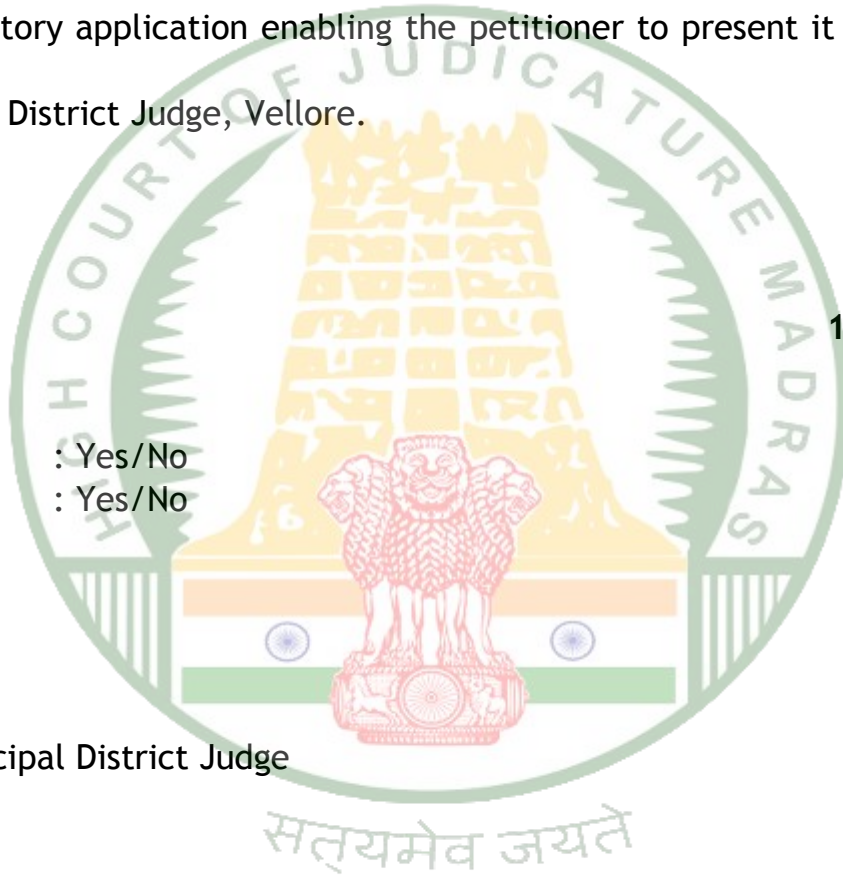
4. Registry is directed to return the originals of the interlocutory application enabling the petitioner to present it before the Principal District Judge, Vellore.

12.07.2019

Index : Yes/No
Internet : Yes/No
TK

To

The Principal District Judge
Vellore.



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M.GOVINDARAJ, J.

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