

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2019

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

CRP (NPD) NO.2725 OF 2019

A.D.Balan

... Petitioner

Vs.

- 1.N.Shenbagavalli
- 2.Maragathaavalli
- 3.Ponnammal
- 4.Ruckmaniammal
- 5.Dhanalakshmi
- 6.Vijayalakshmi
- 7.S.Dhandapani
- 8.Leelavathi
- 9.Sakthivadivel
- 10.S.Rathina Kumar
- 11.Rani
- 12.Kamalam
- 13.C.K.Ganesan
- 14.V.Murugesan
- 15.C.K.Mr.C.K.Ayyappan
- 16.C.Chandran
- 17.P.S.Natarajan
- 18.K.Manickam Chettiyar
- 19.S.A.Sivasamy Chettiyar
- 20.Dhanalakshmi
- 21.Leela
- 22.Veerammal
- 23.Nagammal
- 24.Saraswathi



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25.Chandrothayam
26.Anitharani
27.Preethi
28.Nagammal
29.Karthick Kumar
30.Leelavathi
31.Dhanapskiyam
32.Gandhi
33.Rajagopal
34.M.Srinivasan
35.Venugopal
36.Murugesh
37.Rathinam
38.Maragatham
39.Kalamani
40.Chitra
41.Shanthi

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India seeking to direct the II Additional Subordinate Court, Coimbatore, to number E.A.No. (Unnumbered) of 2019 in E.P.NO.132 of 2013 in O.S.No.70 of 1982 filed on 16.07.2019.

For Petitioner : Mr.D.Srinivasan
for Mr.K.S.Karthik Raja

ORDER

The petitioner filed an Obstruction Petition under Order 21 Rule 97 read with Section 151 CPC before the Second Additional Subordinate Court, Coimbatore. The said petition was returned with an endorsement that *"the entire case records sent to Hon'ble High Court Madras. Hence now this petition is returned"*.

2. The fact that when the bundle sent to the High Court is going to be returned by the High Court to the Execution Court may not come to the knowledge of the petitioner. He is also not entitled to any notice in respect of the same. Normally, back up records (basic records) shall be available before the trial court for the purpose of reference apart from entries in the suit and other registers. If the above records are not available, it is the duty of the Court to put up the petition in the main bundle as and when it is received. Therefore, the learned Second Additional Subordinate Judge, Coimbatore is directed to receive the petition and keep it pending till entire bundles are returned by the High Court and number the petition, after receipt of the bundles.

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

4. Registry is directed to return the original papers to the petitioner enabling him to represent it before the concerned Court.

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21.08.2019

Index : Yes/No
Internet : Yes/No
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M.GOVINDARAJ, J.

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To

The Second Additional Subordinate Judge
Coimbatore.



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