

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2019

CORAM:

THE HONOURABLE MS.JUSTICE P.T. ASHA

C.R.P. (NPD) No.1159 of 2017

1. R. Geetha
2. Minor Hemavarna,
Daughter of Late Gopinath
2nd petitioner represented by her mother and
next friend the 1st petitioner ... Petitioners

1. Vani Sekar,
2. Sekar
3. Javid
4. Arumugam
5. Sivalingam
6. Anitha ... Respondents

Vs.

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India against the order in Pauper O.P. NIL of 2016, dated 16.09.2016, on the file of the Principal District Judge, Vellore, Vellore District.

For Petitioners : Mr.M. Muruganantham
For Respondents : Mr. E. Kannadasan
for R5 and R6
Not ready in notice
Reg. - R1 to 4

ORDER

The above Civil Revision Petition is filed challenging the order passed by the Principal District Judge, Vellore in Pauper O.P. Nil of 2016 rejecting the very suit on the ground that it is barred by limitation, despite the suit not being barred in so far as the second petitioner is concerned. The said order is subject matter of the revision petition herein.

2. The learned Judge ought to have numbered the OP and directed notice to the respondents instead of rejecting the same without numbering it or hearing the other parties. Hence, the order is set aside.

3. The learned Principal District Judge, Vellore is directed to number the OP and issue notice to the respondents and thereafter pass orders immediately.

4. The Civil Revision Petition is allowed. No costs.

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27.04.2019

Internet: Yes/No

Index: Yes/No

Speaking order/Non-speaking order

vsi2

P.T.Asha, J.

vsi2

To
The Principal District Judge, Vellore, Vellore District.



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