



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

C.R.P (MD) No.1103 of 2019

1.P.Vinayagaraj
2.V.Vellapazham alias Kumar
3.P.Sudhakar

.. Petitioners / Plaintiffs

Vs.

1.V.Pillaiyar Nadar
2.P.Ponnambala Raj
3.P.Senthilkumar
4.Sellam

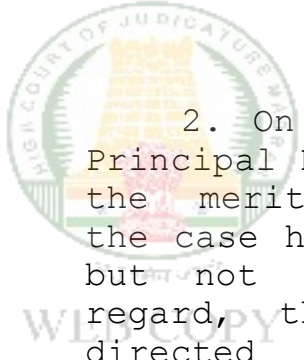
.. Respondents / Defendants

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the docket order dated 18.02.2019 in unnumbered O.S.No.NiI of 2019 on the file of the Principal District Court, Thoothukudi.

For petitioners : Mr.M.P.Senthil

ORDER

The petitioners are the plaintiffs in the unnumbered suit presented before the learned Principal District Judge, Thoothukudi. Now, the petitioners approached this Court for seeking the relief to set aside the docket order, dated 18.02.2019 and for the relief of direction directing the learned Principal District Judge, Thoothukudi to number the suit which was returned through the docket order, dated 18.02.2019. Now, on go through the entries made in the plaint, it reveals that the suit has been returned vide orders, dated 18.02.2019, 25.02.2019 and 18.03.2019 respectively. In fact, already this Court issued directions to all the Presiding Officers directing them if necessary, the plaints have to be returned by mentioning all the reasons in a single time. But the learned Principal District Judge, Thoothukudi, vide orders as stated above made a piece meal returns. Only in the said circumstances, the petitioners have approached this Court for the relief already stated above.



2. On go through the returns made by the learned Principal District Judge, it reveals that all are related to the merits of the case. Actually, the merits and demerits of the case has to be decided only at the time of trial, but not at the time of numbering the suit. In this regard, the learned Principal District Judge, Thoothukudi is directed either to admit the suit or to reject the suit within a period of one month from the date of presenting before him. Further, the Registry is directed to return the original papers filed along with this petition forthwith, for enabling the petitioners to present the same before the learned Principal District Judge, Thoothukudi.

3. Accordingly, this Civil Revision Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (A.E)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Principal District Judge,
Thoothukudi.

2.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.M.P.SENTHIL, Advocate SR-74708.

ORDER MADE IN
C.R.P (MD) No.1103 of 2019
10.07.2019

CS (05.08.2019) 2P 5C