

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2020

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

C.R.P (PD) No.1676 of 2020

1.Anbumani
2.Santhi

... Petitioners

Vs.

1.K.Chandrasekaran
2.D.Mary
3.S.Sandheep
4.S.Mehaboob Unnisa
5.S.Parvathy

6.The Sub Registrar,
Joint IV Sub Registrar Office,
Kancheepuram.

7.The Inspector General,
Registration Department,
Santhome High Road,
Chennai.

8.The Thasildar,
Kanchipuram Taluk.

9.The District Collector,
Kanchipuram District.

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the third return of the learned II District Judge,

Kancheepuram dated 07.08.2020 made in unnumbered suit filed through email id “naveenbabl.hons@gmail.com” on 06.07.2020 and consequently direct the II District Judge, Kanchipuram to accept the e-court court fee paid on 29.06.2020 bearing ref No.TNCT2910F2035N991 and take the suit on the file of the II District Judge, Kanchipuram within a time stipulated by this Court.

For Petitioners : M/s.Sarvabhauman Associates

ORDER

The present Civil Revision Petition has been filed seeking a direction to the trial Court to number the plaint and proceed further.

2. It is seen that the plaint was returned for compliance of certain defects found in the plaint and it was complied by the petitioners/plaintiffs. Even after that, it has also been returned for various other reasons, touching upon the merits of the case.

3. It is well settled that, if a litigant approaches the Court and files the plaint in accordance with Order VII Rule 1 of Civil Procedure Code, then it is the duty of the Court to entertain the plaint and number the same and proceed

further. If it is not maintainable in law, it can be returned or other side may come and file a petition for rejection of plaint. But, without numbering the plaint, it cannot be returned questioning the merits of the case. Therefore, a direction is given to the learned II District Judge, Kancheepuram, to number the plaint, if it is complying with the requirements of Order VII Rule 1 of Civil Procedure Code, accepting the Court fee paid online.

With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs.

23.09.2020

ms/asi



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M.GOVINDARAJ, J.

ms/asi

To

1.The II District Judge,
Kanchipuram.

2.The Sub Registrar,
Joint IV Sub Registrar Office,
Kancheepuram.

3.The Inspector General,
Registration Department,
Santhome High Road,
Chennai.

4.The Thasildar,
Kanchipuram Taluk.

5.The District Collector,
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