

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2020

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

**C.R.P(PD).No.4255 of 2019
and
C.M.P.No.27772 of 2019**

A. Ganesan ... Petitioner

Vs.

N. Anand ... Respondent

PRAYER : Civil Revision Petition filed under article 227 of the Constitution of India against the fair and decreetal order as made in I.A.No.741 of 2017in O.S.No.1151 of 2014 dated 22.07.2019 on the file of IV Additional District Munsif, Coimbatore filed by the petitioner herein under Order 26(A) (1)(2)(3) of hte Civil Procedure Code r/w. Article 350 of the Constitution of India.

For Petitioner : Mr T. Shanmugam

ORDER

This Civil Revision Petition has been filed against the order dismissing the petitioner's application seeking for translated copy of the plaint and other documents.

2. The petitioner is the 4th defendant in the suit. The respondent/plaintiff has filed the suit in O.S.No.1151 of 2014 on the file of the IV Additional District Munsif Court, Coimbatore for mandatory injunction to remove the thorn trees from the pathway and also for permanent injunction restraining the defendants from interfering with his peaceful possession and enjoyment of the suit property. After service of suit summon, the petitioner/4th defendant, who has appeared party in person, came out with an application in I.A.No.741 of 2017 seeking for translation on the ground that the plaint and other documents are in English since he is only aware of the Tamil language and hence, he sought a direction to give a translated copy of the

plaint and other documents and that application came to be dismissed. Hence, challenging the same the present revision has been filed.

3. Earlier when the matter was taken up, the petitioner, appearing as party in person, submitted he is not in a position to file a written statement because of his lack of knowledge in English and not able to read the plaint and other documents and not in a position to make his defence. This Court made a suggestion to the petitioner that, instead of appearing as part in person, a legal aid counsel may be engaged on behalf of the petitioner and he took time to get instruction from his client.

4. Today the learned counsel for the petitioner would submit that the petitioner is agreeing for the above said suggestion and requested Mr.S.Radharamanan, No.181/88, who is legal aid panel counsel, may be appointed as his advocate.

5. Considering the above request, this Court is inclined to appoint a Legal Aid Counsel for the petitioner, to conduct the trial in the suit.

6. Accordingly, this Civil Revision Petition is disposed of. The District Legal Aid Services Authority is directed to appoint Mr. S.Radharamanan, No.181/88, as counsel for the petitioner/4th defendant in the suit. Consequently, connected miscellaneous petition is closed.

07.01.2020

Index:Yes/No
Internet:Yes
Speaking/Non-speaking order

Note: Issue order copy on 06.03.2020
mrp

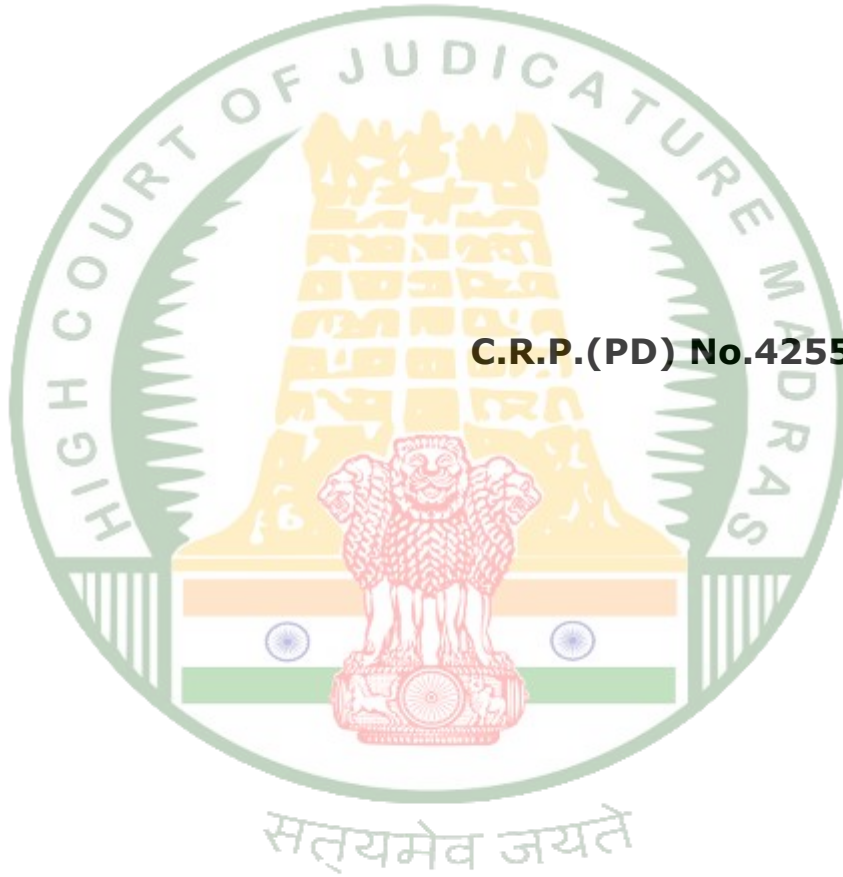
To
The VI Additional City Civil Court,
Chennai.

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C.R.P.(PD) No.4255 of 2019

V.BHARATHIDASAN, J

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