

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

CRP (PD) Nos.3921 & 3923 of 2018
and CMP No.21763 of 2018

V.Padhmavathy (Died)
J.Vijayaraghavan

... Petitioner in both CRPs.

Vs

Tmt.Violet Navamani

... Respondent in both CRPs.

Common prayer: The Civil Revision petition filed under Article 227 of the Constitution of India, praying to strike off IA Nos.261 and 262 of 2015 in OS No.150 of 2013 on the file of the Subordinate Court, Vellore.

For Petitioner
in both CRPs. : Mr.C.Prabakaran

For Respondent
in both CRPs. : Mr.P.N.Aramudhan

COMMON ORDER

These two revision petitions have been filed by the plaintiffs in O.S.No.150 of 2013 seeking rejection of IA Nos.261 and 262 of 2015 filed by the defendant in O.S.No.150 of 2013.

2. The plaintiffs sought for a decree, declaring the title of the 1st plaintiff to the suit property and for the consequential permanent injunction. An exparte decree came to be passed in the said suit on 29.06.2015. The defendant filed I.A.No.261 of 2015 seeking to set aside the exparte decree and I.A.No.262 of 2015, seeking stay of operation of the exparte decree pending disposal of I.A.No.261 of 2015.

3. The prayer for rejection of these two interlocutory applications is based on the fact that one of the counsels who had entered appearance for the petitioner/defendant in the said suit namely Mr.G.Parthiban is not enrolled as a lawyer. Certain materials to show that he is not enrolled and the Enrolment Number he had given is wrong, have also been placed before me. Since the respondent did not appear despite notice, I had directed the petitioner to take notice to Mr.P.N.Aramudhan, Advocate who had entered appearance along with Mr.G.Parthiban for the defendant in O.S.No.150 of 2013. Pursuant to the notice, Mr.P.N.Aramudhan, Advocate practising at Vellore appeared before me today via Video Conferencing.

4. The learned counsel would submit that upon discovery of this fact, the Court has initiated proceedings against Mr.G.Parthiban and Mr.P.N.Aramudhan has also filed a separate Vakalat without Mr.G.Parthiban as a co-counsel in the suit. Now that Mr.G.Parthiban is not on record, I do not find any irregularity in the proceedings before the Court. Therefore, both the Civil Revision petitions are dismissed. However, the dismissal of these revision petitions will not have any effect on the proceedings that are already been launched against the said Mr.G.Parthiban who had posed as a lawyer without being enrolled. The trial Court is required to proceed with the applications with I.A.Ns.261 and 262 of 2015 as per law and dispose of the same. No costs. Consequently, connected miscellaneous petition is closed.

30.09.2020

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Index: Yes/No

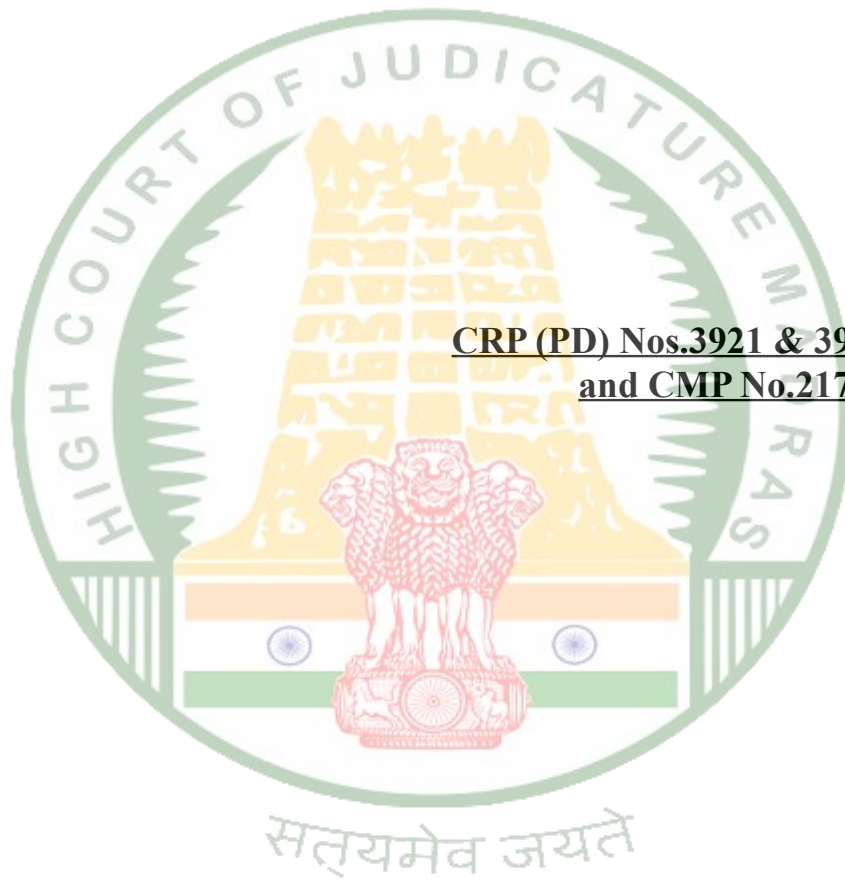
Speaking order / Non speaking order

To

The Subordinate Court, Vellore.

R.SUBRAMANIAN, J.

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