



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 13.03.2020

CORAM

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THE HONOURABLE MRS. JUSTICE R. THARANI

C.R.P.(PD) (MD)No.410 of 2020

Stephen Selvaraj ... Petitioner/Plaintiff
Vs.

1.Thomas

2.Ramapandi

3.Murugan

4.Reegan Athisayam

5.Rajendran ... Respondents/Defendants

Prayer : This Civil revision petition is filed under Article 227 of the Constitution of India, to direct the Principal District Munsif, Vallioor, to number the plaint in Un Numbered O.S.No.... of 2018 in filing O.S.No.135 of 2019 (CNR.No.TNTL080001052019).

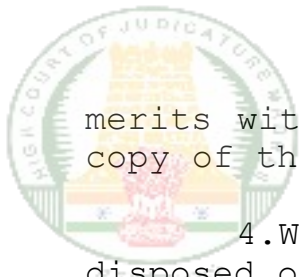
For Petitioner : Mr.V.Meenakshisundaram

ORDER

This petition has been filed to direct the Principal District Munsif, Vallioor to number the plaint in Un Numbered O.S.No.... of 2018 in filing O.S.No.135 of 2019 (CNR.No.TNTL080001052019).

2.On the side of the petitioner, it is stated that though the deed in question, it is a sale deed, it was executed only for collateral purpose and the prayer in the suit is to declare the sale deed as given for collateral purpose. It is stated that the suit was neither numbered nor returned.

3.The document mentioned by the petitioner is a sale deed. Whether the sale deed was given for collateral purpose or for consideration with an intention to create a sale deed cannot be decided by this Court. The petitioner is hereby directed to represent the plaint before the lower Court and the Trial Court Judge is directed to give a Civil Miscellaneous Petition number and decide the maintainability of the suit and to pass orders on



merits within a period of one month from the date of receipt of a copy of this order.

4. With the above direction, this Civil Revision Petition is disposed of. No costs.

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5. The Registry is directed to return the original plaint to the petitioner counsel on replacement of the same with photocopies of the same and return the original on acknowledgment forthwith.

Sd/-

Assistant Registrar (w)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

dss

To

The Principal District Munsif,
Vallioor.

Copy to

The Record Keeper, -2 copies
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

C.R.P. (PD) (MD) No.410 of 2020

13.03.2020

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