

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2021

Coram

The Hon'ble Mr. Justice **C.V.KARTHIKEYAN**

C.R.P.PD.No.1213 of 2021
and
C.M.P.No.9359 of 2021

Loganathan

... Appellant/Plaintiff

Vs

1.The Secretary to the Government,
Revenue Department,
Secretariat,
Chennai.

2.The District Collector,
District Collectorate,
Chengalpattu.

3.The Assistant Engineer, सत्यमेव जयते
Irrigation Section,
Public Works Department,
Padapai,
Chennai – 601 301.

4.The District Revenue Officer,
District Revenue office,
Chengalpattu District.

5.The Tahsildar
Tamibaram,
Chennai.

... Respondents/Defendants

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the Docket order of return passed by the District Munsif Court, Tambaram and consequently direct the District Munsif Court, Tambaram, to number the suit in S.R.No.9 of 2021.

For Petitioner .. Mr.A.Manojkumar

For Respondents .. No appearance

ORDER

The plaint in O.S.SR.No.6 of 2021 had been presented before the District Munsif Court, Tambaram. The plaint has been moving between the office of the Registry and office of the counsel, with the Registry making returns and the learned counsel making necessary endorsements that the returns had been complied with. The grievance raised by Mr.A.Manojkumar, learned counsel for the petitioner is that this is going on like a pendulum swinging back and there is no end.

2.But unfortunately, the learned counsel had never requested that the plaint should be put up before the Court and that he would argue on maintainability before the Court.

3.Let me not enter into a discussion on the merits of the suit. That will impinge on the decision taken by the learned District Munsif,

Tambaram. The learned counsel may therefore put up necessary

endorsements requesting that the unnumbered plaint may be placed before the learned District Munsif, Tambaram and thereafter, argue the matter before the learned District Munsif, Tambaram on maintainability and let the learned District Munsif, Tambaram, pass a judicial order on the same.

4. With the above observations, this Civil Revision Petition is disposed of. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

5. The original plaint which has been filed along with the Revision Petition may be returned to the learned counsel on giving necessary undertaking and acknowledgment. The learned counsel may substitute the same with a xerox copy including all the return dockets for the sake of records of this Court. The said original plaint may be returned within a period of three weeks from this date to the learned counsel for the revision petitioner.

WEB COPY 23.06.2021

Internet: Yes/No

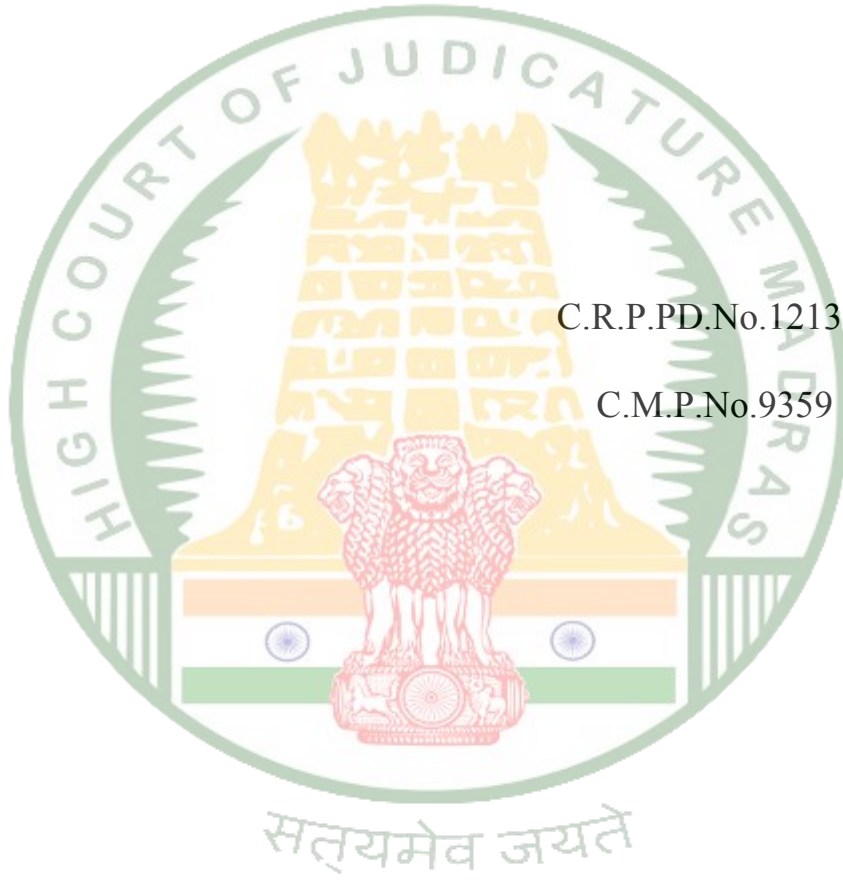
Index: Yes/No

smv

C.V.KARTHIKEYAN,J.

smv

To
The District Munsif Court, Tambaram.



C.R.P.PD.No.1213 of 2021
and
C.M.P.No.9359 of 2021

WEB COPY

23.06.2021