

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2021

Coram

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

C.R.P.NPD.No.1297 of 2021

J.B.Vijay

... Petitioner/Plaintiff

Vs

Ravi Tamizhvanan

... Respondent/Defendant

Civil Revision Petition filed under Article 227 of the Constitution of India, pleaded to take on file of unnumbered O.S.filing No.83 of 2021 on the file of the learned District Munsif Court, Sriperumbudur and to number the above suit.

For Petitioner .. Mr.T.Sundaravadanam

For Respondent .. No appearance

ORDER

Heard Mr.T.Sundaravadanam, learned counsel for the revision petitioner.

2. This revision petition has been filed aggrieved over the docket

order calling upon the revision petitioner /plaintiff in unnumbered suit

which had been filed before the District Munsif Court at Sriperumbudur to produce documentary evidence to prove the paternity of the defendant whom the revision petitioner /plaintiff claimed to be his father. The issue is to be examined only during the course of trial. In the plaint, there is reference to a compromise memo filed in MC.No.3 of 2016 before the District Munsif cum Judicial Magistrate, Sriperumbudur, wherein both the defendant herein in unnumbered suit and also the mother of the revision petitioner/plaintiff had agreed that they would not raise any claim against each other past, present and future. This clause is very reasonable. However, in the compromise memo, three words have been included viz., “including Master Vijay”. Inclusion of those three words, is very significant. Let me not proceed further to examine the facts, since they are all facts to be established on the suit being numbered.

3. Therefore, the order under revision is interfered with and the learned District Munsif at Sriperumbudur, is directed to number the suit if it is otherwise in order and proceed in manner known to law. Registry is directed to return back the original plaint which has been filed along with the revision and a copy of the plaint may be substituted to for records.

4. This Civil Revision Petition is disposed of with the above observations. No order as to costs. Consequently, connected miscellaneous petition is closed.

12.07.2021

Internet: Yes/No
Index: Yes/No
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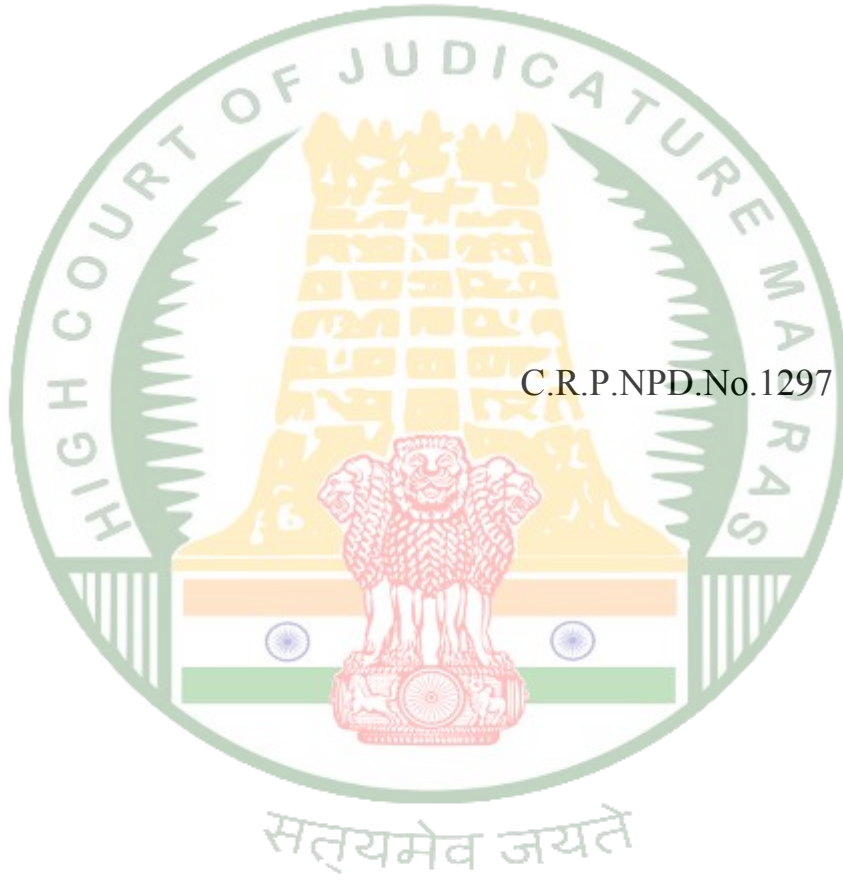
To
The District Munsif Court,
Sriperumbudur



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C.V.KARTHIKEYAN,J.

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