



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2021

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P.PD(MD) .No.1422 of 2021

Abirami Thangam

...Petitioner/Plaintiff

Vs.

R.P.Perumal

...Respondent/Defendant

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the District Munsif Court, Nagercoil to number the plaint in O.S.SR.No.2738 of 2020 (CNR.No.TNKKOH0002352020) on the file of District Munsif Court, Nagercoil.

For Petitioner : Mr.V.Meenakshisundaram

O R D E R

This Civil Revision Petition has been filed to direct the District Munsif Court, Nagercoil to number the plaint in O.S.SR.No.2738 of 2020 (CNR.No.TNKKOH0002352020) on the file of District Munsif Court, Nagercoil.

2.The suit is for declaring the cheques and hundred rupees stamp papers as null and void. This issue has been decided only in the suit. But the learned District Munsif, Nagercoil has rejected the plaint by stating that the argument is not satisfied to clarify the return of above suit. There is no speaking order and while the numbering of suit, the Court can look into only two matters, namely, jurisdiction of Court and whether the Court bared by any law. Without considering the merit, the learned District Munsif, Nagercoil has simply rejected the plaint. Hence, the prayer sought by in the plaint is very well a civil right and can be set aside in the suit.

3.Therefore, the learned District Munsif, Nagercoil, is directed to number the suit, if it is otherwise in order.

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

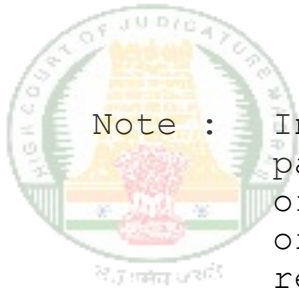
Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

The District Munsif,
Nagercoil.

Copy to

The Section Officer, VR Section
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.Meenakshisundaram, Advocate (SR-30799[F] dated 30/09/2021)

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