



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2021

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P.(PD) (MD) No.1180 of 2020

and

C.M.P.(MD) No.7501 of 2020

WEB COPY

Piranmalai

.. Petitioner/Respondent/
Defendant

-vs-

Muthuraman

.. Respondent/Petitioner/
Plaintiff

Prayer :- Petition filed under Article 227 of the Constitution of India to set aside the order dated 24.02.2020 passed in I.A.No.04 of 2020 in O.S.No.23 of 2013, on the file of the District Munsif cum Judicial Magistrate, Thiruppathur.

For Petitioner : Ms.P.Jessi Jeeva Priya
For Respondent : Mr.P.Venkata Subramanian

ORDER

This revision is filed by the defendant challenging the order dated 24.02.2020, passed in I.A.No.04 of 2020 in O.S.No.23 of 2013 by the learned District Munsif cum Judicial Magistrate, Thiruppathur.

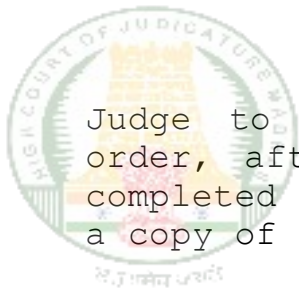
2.The impugned application was filed by the plaintiff to deposit the stamp duty penalty in respect of the Sale Deed dated 18.06.2002.

3.Though the defendant had objected to the said application by stating that the Sale Deed was an unregistered deed and a fraudulent one, and therefore, inadmissible in evidence, the learned District Munsif cum Judicial Magistrate, Thiruppathur, has allowed the application by way of a one line non-speaking order. The order dated 24.02.2020 reads as follows:-

"In order to give an opportunity to the petitioner, to prove his case this application is allowed."

4.Considering the fact that a one line non-speaking order has been passed, this Court is setting aside the order dated 24.02.2020, passed in I.A.No.04 of 2020 in O.S.No.23 of 2013 of the learned District Munsif cum Judicial Magistrate, Thiruppathur, and the executory application is remitted back to the learned

<https://hccs.judges.gov.in/services>



Judge to consider the application afresh and pass a detailed order, after hearing both parties. The said exercise shall be completed within a period of one month from the date of receipt of a copy of this order.

5. With the above direction, this Civil Revision Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

abr

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.

To

The District Munsif cum Judicial
Magistrate, Tiruppathur.

C.R.P. (PD) (MD) No.1180 of 2020
08.12.2021

KMV (CO)
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