



C.R.P.(PD).No.773 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2022

CORAM :

THE HONOURABLE Ms.JUSTICE P.T.ASHA

C.R.P.(PD).No.773 of 2022

M.Gagan Bothra

... Petitioner

Vs.

1. Balamanian

2. M.Sandeep Bothra

3. M.Karishma Bothra

(Notice to respondents 2 and 3 may be
given up)

...Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India praying to direct the Hon'ble XVII Additional Judge, City Civil Court, Chennai to number the un-numbered I.A.No...of 2021 in O.S.No.1514 of 2020 and to decide the same on merits.

For Petitioner

: Mr.M.Gagan Bothra
Party-in-Person.

ORDER

As directed by this Court on 11.03.2022, the report dated 28.03.2022 has been received from the XVII Additional Judge, City Civil Court, Chennai.



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2. It is seen from the return papers of the Court below that instead of answering queries in a polite manner, the petitioner/ party-in-person has used harsh and condemnable language, while re-presenting the papers, that too, without complying with the return. The Party-in-Person had in fact questioned the learned Judge. The learned XVII Additional Judge, had called upon him to produce the Lease Agreement, which has not been produced. The application for rejecting the plaint, has been primarily filed on the ground that it is barred by limitation. Therefore, a return was made by the learned trial Judge, calling for a response as to how the same can be said to be time barred, when the arrears, which are sought to be recovered, is only from February 2017 and the plaint had been filed within three years. The petitioner should have just answered the query and represented the papers without giving a sarcastic response totally failing to see that he is before a Court of Law where the proceedings are in a solemn form..

3. In view of the above, the Civil Revision Petition is dismissed. This Court directs the party-in-person to re-present the papers



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using a more temperate legally acceptable language. If the learned Judge, still feels that the returns have not been properly answered, he shall call the matter in the open Court, hear the arguments of the Party-in-Person and if he is still not convinced with the arguments, he shall proceed to pass appropriate orders thereon.

4. The Registry is directed to return the original petition to the party-in-person along with the order copy. He shall re-present the papers within a period of one week from the date of receipt of a copy of this order. No costs.

29.03.2022

Index :Yes/No

Internet: Yes/No

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To

The XVII Additional Judge, City Civil Court, Chennai



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