



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.04.2022

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

C.R.P.Nos.1508 and 1510 of 2022

In C.R.P. No.1508 of 2022

Ganesh Electricals  
Rep. By its Propreitor,  
B.Kumaresan,  
No.1, II Floor, new Street,  
Sakthi Nagar, Porur,  
Chennai - 600 116.

... Petitioner/Plaintiff/Petitioner

Vs.

Venus Electrical Works,  
Rep. By its Propreitor A Murugavel  
S-9, 2<sup>nd</sup> Floor, New Shopping Complex,  
No.100, Jawarhalal Nehru Street,  
Pondicherry - 605 001.

... Respondent/Defendant/Respondent

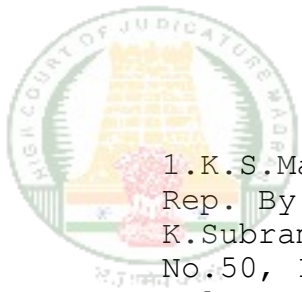
PRAYER:- Civil Revision Petition is filed under Article 227 of the Constitution of India directing the District Court, Thiruvallur to number the IA.No in the I.A.Sr.No.7678 of 2021 in COS No.548 of 2021.

In C.R.P. No.1510 of 2022

Ganesh Electricals  
Rep. By its Propreitor,  
B.Kumaresan,  
No.1, II Floor, new Street,  
Sakthi Nagar, Porur,  
Chennai - 600 116.

... Petitioner/Plaintiff/Petitioner

Vs.



1.K.S.Mani Electricals,  
Rep. By its Propreitor,  
K.Subramaniyan  
No.50, III Cross Street,  
Velmurugan Nagar,  
Kuyavarpalayam,  
Pondicherry - 605 013.

2. Executive Engineer,  
Project Implementation Agency,  
CDRRP Project, 5<sup>th</sup> Floor A Block  
PPKC Educational Complex, 100 ft Road,  
Anna Nagar, nellithope,  
Puducherry - 605 005.

3. Union of India (Govt of Puducherry),  
Rep by Executive Engineer B & R Karikal,  
Public Works Department,  
Govt of Puducherry

... Respondents/Defendants/Respondents

PRAYER:- Civil Revision Petition is filed under Article 227 of the Constitution of India directing the District Court, Thiruvallur to number the IA.No in the I.A.Sr.No.8080 of 2021 in COS No.557 of 2021

For Petitioner : Mr.R.Vivekanandan

#### C O M M O N    O R D E R

These Civil Revision Petitions are filed seeking a direction to the District Court, Tiruvallur to number Interlocutory Applications filed in COS Nos.548 and 557 of 2021.

2. The main contention of the revision petitioners is that the court below by overstepping the procedural prescription has returned the applications in pre-registration stage.

3. The learned counsel for the revision petitioners has relied on the Judgment of the Apex Court in P.Surendran Vs. State by Inspector of Police [2019 (9) Supreme Court Cases 154] and the judgment of this Court in a batch of revisions reported in Selvaraj Vs. Koodankulam Nuclear Power Plant [2021 SCC Online Mad 2014] : [(2021) 4 CTC 539] : [(2021) 5 Mad LJ 467] : [(2021) 2 MWN (Civil) 73] : [2021 (3) LW 677], wherein it is held that when the court has set out the parameters, no court shall overstep the procedural prescription. After all, law of procedure is a handmaid of justice and a rule book of fairness with inherent flexibility and elasticity. Its object is to aid



the furtherance of justice and not to impede it.

4. The learned counsel for the petitioners would further submit that the plaintiff has filed the suit for recovery of a sum of Rs.1,17,85,806.60/- with interest and the present application is filed to direct the garnishee to deposit the amount payable to the respondent, which is permissible. Hence, he prays that the said applications may be ordered to be numbered.

5. Heard both sides.

6. Considering the facts as stated above and the judgment relied on by the learned counsel, this Court is of the view that Interlocutory Applications<sup>0</sup> should be numbered. Thereafter, the court below, after hearing both sides, shall dispose of the said petitions on merits and in accordance with law. Accordingly, the Civil Revision Petitions are allowed. The court below is required to number the Interlocutory Applications and take the same on its file. The Registry is directed to return the Interlocutory Applications to the learned counsel for the petitioner. No costs.

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

CM

To:

1.The District Court, Thiruvallur

2.The Section Officer,  
VR Section,  
Madras High Court, Madras

+2ccs to Mr.R.Subramanian, Advocate SR.No.29325, 29326

C.R.P.Nos.1508 and 1510 of 2022

RSV(CO)  
GMY(07/07/2022)