



C.R.P.No.2991 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

C.R.P.No.2991 of 2022

Ramesh

.. Petitioner

Vs.

1. Periyayee
2. Chandru
3. Vasanth Kumar

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, pleased to direct the Ld. District Munsif cum Judicial Magistrate Court at Ranipet to number the unnumbered plaint in O.S.CFR.No.1317 of 2021 without further returning the plaint.

For Petitioner : Mr.C.Haeish

ORDER

The Civil Revision Petition is filed seeking a direction to the District Munsif cum Judicial Magistrate Court, Ranipet to number the unnumbered plaint in O.S.CFR.No.1317 of 2021.

2. The petitioner herein filed a suit for recovery of damages against the respondents. According to the petitioner when he went to the defendant's place



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for receiving the amount due to him from the respondents on 20.09.2021, the respondents abused him with filthy language and assaulted him physically. It was also alleged by the petitioner in the plaint that the respondents had damaged his two wheeler. It was further averred that the petitioner preferred a complaint to Ranipet Police Station on 20.09.2021 regarding the misdeed committed by the respondents and a CSR receipt was issued, based on these document the above said suit was laid, for recovery of damages suffered by petitioner due to alleged misdeeds by respondent.

3. The Court below returned the plaint on 23.12.2021 directing the petitioner to furnish the copy of the complaint preferred to the Police and photos. The plaint was represented by the petitioner on 08.01.2022 with an endorsement that copy of the complaint and photos were already filed along with CSR receipt. The plaint was again returned by the Court below by directing the petitioner to furnish the certified copy of the Police complaint. The petitioner again represented the plaint by making an endorsement that at the time of trial, he would file appropriate petition for summoning the Ranipet Police for production of copy of complaint. The Plaint was again returned by the Court below by stating that previous defects were not complied. Aggrieved by the series of returns by the Court below, the revision petitioner is before this Court.



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4. The petitioner herein filed the copy of the complaint preferred by him to the Police as Complaint document No.7 along with CSR receipt. He also undertook to file an appropriate application to sent for original copy of the complaint from the Ranipet Police Station. Therefore, the Court below is directed to number the complaint and proceed with the case in accordance with law, if the complaint is otherwise in order. Since complaint is in unnumbered stage, this Court deems it is not necessary to issue notice to respondent in this revision.

5. With the above direction, the Civil Revision Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/ No

Internet : Yes / No

Note: Registry is directed to return the original suit filed in the Typed set of papers to the counsel for the petitioner.

To

The District Munsif cum Judicial Magistrate Court,

<https://www.mhc.tn.gov.in/judis>



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S.SOUNTHAR, J.

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