



C.R.P.No.3469 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.3469 of 2022
and
C.M.P.No.18497 of 2022

1. Bakthavatchalam
2. Lakshmanan
3. Narayani

... Petitioners

VS

1. Vittabai
2. Uma
3. Varadharajan
4. Moorthy
5. Dilli

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the refusal dated 27.06.2022 to entertain Review Petition Sr.No.1838 of 2022 dated 01.06.2022 in A.S.No.3 of 2019 on the file of Principal Subordinate Judge, Chengalpattu by allowing the above Civil Revision Petition.

For Petitioner : Mr.V.Manohar

For Respondents : No Appearance



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ORDER

WEB COPY The Civil Revision Petition has been filed challenging the Order of Return dated 27.06.2022 made in Rev.App.SR.No.1838 of 2022.

2. The petitioner herein filed a Review Application seeking to review the judgment and decree passed in A.S.No.3 of 2019 dated 23.03.2022.

3. The Review Application was filed on 01.06.2022 and the same was returned by the court below with an endorsement, directing the petitioner to explain how the petition was maintainable, when the case was decided on merits after giving sufficient time for arguments. Thereafter, the petitioner has come up by way of this revision.

4. When the court below returns the papers pointing out certain defects, it is for the petitioner to re-present the papers after curing the defects. Without adopting such method, the petitioner has rushed to this Court by way of revision.



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5. In view of the facts and circumstances, this Court is inclined to issue

a direction to the petitioner to re-present the returned papers in Rev.App.SR.No.1838 of 2022, within a period of three weeks from the date of receipt of a copy of this order, explaining the court how the review application is maintainable before the Court below. If the Court is satisfied with the explanation given by the petitioner, it shall number the same and dispose of it in accordance with law. If the Court is not satisfied with the reasoning given by the petitioner, the matter shall be called in open Court and the petitioner shall be afforded with an opportunity to put forth this case and thereafter, the Court shall pass a considered order in accordance with law.

6. With these observations, the Civil Revision Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

01.11.2022

Index : Yes / No

Internet : Yes / No

rgm

Note: Registry is directed to return the original
Rev.App.SR.No.1838 of 2022.

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to the counsel for the petitioner.

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S.SOUNTHAR, J.

rgm

To

The Principal Subordinate Judge,
Chengalpattu

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and

C.M.P.No.18497 of 2022

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