



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :25.02.2022
CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

C.R.P (MD) .No.353 of 2022

Appasamy

...Revision Petitioner/
Plaintiff

Vs.

1.D.Jemima
2.D.Hepsiba
3.D.Rabecal
4.D.Samuvel

...Respondent/Defendants

PRAYER : This Civil Revision Petition is filed under Section 227 of the Constitution of India, to direct the Principal District Judge, Thoothukudi to take on file and number the plaint in Unnumbered O.S.of 2021 [File No.866 of 2021].

For Petitioner : Mr.S.Pon Senthil Kumaran

O R D E R

This Civil Revision Petition has been filed to direct the learned Principal District Judge, Thoothukudi to take on file and number the plaint in Unnumbered O.S.of 2021 [File No.866 of 2021].

2.Originally the plaint Unnumbered O.S.of 2021 [File No.866 of 2021] was presented by the revision petitioner, which was returned by the learned Principal District Judge, Thoothukudi for seven returns. All returns were complied with by the plaintiff for the first time alone. But first return is not at all relevant, because the plaintiff wants to file the suit for recovery of money only. There is no bar for the civil suit to entertain a suit under Section 138 Negotiable Instruments Act because business transactions are pending between the parties.

3.Considering the above facts and circumstances of the case, the learned Principal District Judge, Thoothukudi, is directed to number the plaint, if it is otherwise in order.

4. With the above observation, the Civil Revision Petition is disposed of. No costs.



5.Registry is directed to return the original papers to the petitioner to be produced before the concerned Court after substituting the same with xerox copy.

Sd/-

Assistant Registrar(CS-III)

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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 Principal District Judge,
Thoothukudi.

Copy To:

The Section Officer,
ER Section (Civil)
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.PON SENTHILKUMARAN, Advocate (SR-8877[F] dated 25/02/2022)

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Date:25.02.2022

SA(30.03.2022) 2P 4C