



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :28.02.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

C.R.P. (MD).No.361 of 2022

D.Baskaran

... Petitioner

Vs.

S.Kalpana

... Respondent

PRAYER : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records pertaining to the unnumbered plaint in O.S.No.Nil/of 2020 in filing number OS/13/022 in C.N.R.No.TNDG100000302022 dated 01.02.2022 on the file of the learned District Munsif, Natham, Dindigul District and set aside the docket order passed therein on 14.02.2022 and consequentially direct the learned Judge to number the plaint.

For Petitioner : Mr.C.M.Arumugam

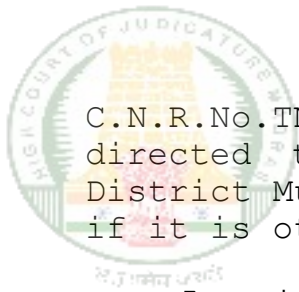
O R D E R

The above application is for a direction to the learned District Munsif, Natham, Dindigul District, to number the unnumbered plaint in O.S.No.Nil/of 2020 in filing number OS/13/022 in C.N.R.No.TNDG100000302022, dated 01.02.2022.

2.A perusal of the original plaint would indicate that the plaint, which was filed on 01.02.2022, was returned for the reason that the lease agreement dated 05.04.2018 is an unregistered one and the said document is relied on for collateral purpose only. Challenging the same, the petitioner is before this Court.

3.Upon hearing the learned counsel for the petitioner and perusing the records, it is seen that plaint was returned multiple times inventing new grounds. The last of the return that unregistered documents cannot be relied upon. relevancy of document cannot be decided in the unnumbered plaint stage and it cannot be questioned at this stage.

4.Considering the above facts and circumstances of the case, the Docket order, dated 14.02.2022 passed in unnumbered OS/13/022 in <https://hcservices.ecourts.gov.in/hcservices/>



C.N.R.No.TNDG100000302022, is hereby set aside and the petitioner is directed to re-present the papers and thereafter, the learned District Munsif, Natham, Dindigul, is directed to number the plaint, if it is otherwise in order.

5. With the above direction, the Civil Revision Petition is allowed. No costs.

6. The Registry is directed to return the original plaint to the learned counsel for the petitioner, after getting due acknowledgment.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cp

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 District Munsif,
Natham,
Dindigul District.

Copy to:

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-9060[F] dated 28/02/2022)
C.R.P. (MD).No.361 of 2022
28.02.2022

MGJ(11.04.2022) 2P 5C