



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :14.03.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

C.R.P (MD).No.419 of 2022

Murugan

...Petitioner/ Proposed Party

Vs.

1.Jacob Selvakumar
2.Sadaiyammal
3.R.Muthukrishnan
4.R.Muthukumar
5.R.Muthulakshmi
6.S.Selvathai

...1st Respondent/Plaintiff

...Respondent Nos.2 to 6/
Defendants

PRAYER : This Civil Revision Petition is filed under Section 227 of the Constitution of India, to call for records in unnumbered I.A (SL.No.2431/2021) in O.S.No.164 of 2018, dated 09.02.2022 docket order passed by the IV Additional District Judge, Madurai and to set aside the same and consequently to direct the IV Additional District Judge, Madurai to number the impleading application and allow this Civil Revision Petition.

For Petitioner : Mr.R.Manoharan

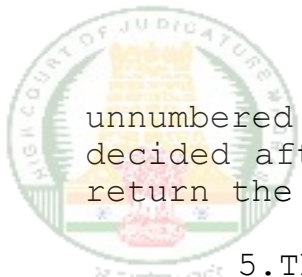
O R D E R

This Civil Revision Petition has been filed to set aside the docket order in unnumbered I.A (SL.No.2431/2021) in O.S.No.164 of 2018, dated 09.02.2022 passed by the learned IV Additional District Judge, Madurai.

2.The said unnumbered I.A (SL.No.2431/2021) was filed by the revision petitioner/3rd Party to implead himself as 7th defendant, which was returned by the learned IV Additional District Judge, Madurai. Aggrieved by the order, the Civil Revision Petition is filed.

3.Considering the nature of relief to be granted, issuance of notice to the respondents is dispensed with.

4.Originally, the property belongs to the father of the revision petitioner and without impleading him and also his sisters, the plaintiff partitioned the property on 11.03.2009. Without considering the pleadings in the petition, the trial Court returned



unnumbered I.A (SL.No.2431/2021). The partition deed has to be decided after trial. The trial Court without numbering I.A. cannot return the petition after discussing some averments in the plaint.

5. Therefore, the learned IV Additional District Judge, Madurai, is directed to number the unnumbered I.A (SL.No.2431/2021), if it is otherwise in order and after giving opportunity to file counter by the respondent, decide the matter on merits.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

To

The IV Additional District Judge,
Madurai.

C.R.P (MD) .No.419 of 2022
14.03.2022

MGJ(12.04.2022) 2P 2C