



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :04.03.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

C.R.P (MD).No.399 of 2022

Tamilnad Mercantile Bank Ltd.,
Surandai Branch,
Represented through its Branch Manager,
A.S.A.R.A. Complex, D.No.14-1-14(14),
Sankarankovil Main Road,
Surandai. ... Petitioner/ Petitioner/Petitioner

Vs.

P. Kalai Arulraj ... Respondent/Respondent/Respondent

PRAYER : This Civil Revision Petition is filed under Section 227 of the Constitution of India, to set-aside the order of return dated 22.12.2021 passed by the Principal Subordinate Judge, Tenkasi in Un-numbered EP.SR.No.8704 of 2019 in Lok Adalat Award Dated 23.09.2016 passed by the Taluk Legal Services Committee, Thenkasi, direct the said Court to number the said Execution Petition, to dispose of the same in accordance with law.

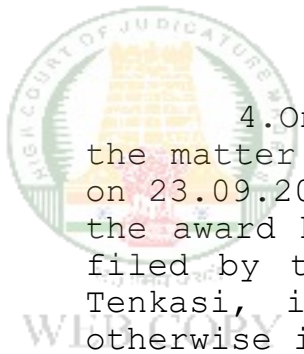
For Petitioner : Mr.P.Pethu Rajesh

O R D E R

This Civil Revision Petition has been filed to set aside the order of return dated 22.12.2021 passed by the learned Principal Subordinate Judge, Tenkasi in Un-numbered EP.SR.No.8704 of 2019 in Lok Adalat Award Dated 23.09.2016 passed by the Taluk Legal Services Committee, Tenkasi.

2.The award in Un-numbered EP.SR.No.8704 of 2019 was passed by the Taluk Legal Services Committee, Tenkasi in the pre-litigation stage at National Lok Adalat on 23.09.2016. Since the matter was settled before numbering the Execution Petition at pre-litigation stage, the learned Principal Subordinate Judge, Tenkasi refused to number the petition and returned the same. Aggrieved by the said order, the revision petitioner has filed this Civil Revision Petition.

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



4. On a perusal of the available materials, it is seen that the matter has been settled before the National Lok Adalat, Tenkasi on 23.09.2016 itself. The petitioner also produced the true copy of the award before the Court below. Since true copy of the award is filed by the petitioner, the learned Principal Subordinate Judge, Tenkasi, is directed to number EP.SR.No.8704 of 2019, if it is otherwise in order.

5. With the above direction, this Civil Revision Petition is allowed. No costs. 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 (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

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 Subordinate Court,
Tenkasi.

Copy to

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

+1 CC to M/s.P.PETHU RAJESH, Advocate (SR-10100[F] dated 04/03/2022

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