



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2022

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (MD)No.559 of 2022

and

C.M.P (MD)No.2382 of 2022

Ramadoss

... Petitioner/Petitioner/Defendant

Vs.

Kathiravan

...Respondent/Respondent/Plaintiff

PRAYER: Civil Revision Petition under Section 227 of Constitution of India, to direct the II Additional District Judge, Thoothukudi, to number the application in I.A.Sr.No.265 of 2022 in O.S.No.130 of 2021 filed by the petitioner herein for reject the plaint under Order VII Rule 11 of the Civil Procedure Code, prior to the filing of written statement.

For Petitioner :Mr.Meenakshmi Sundaram, for
M/s.Eswar Kumar and Rao

ORDER

This Civil Revision Petition has been filed seeking direction to the learned II Additional District Judge, Thoothukudi, to number the application in I.A.Sr.No.265 of 2022 in O.S.No.130 of 2021 which was filed for rejection of plaint, prior to the filing of written statement.

2.The parties are referred to as per the rank mentioned before the Court below.

3.The revision petitioner/defendant has filed a petition in I.A.Sr. No.265 of 2022 in O.S.No.130 of 2021, for rejection of plaint and the same was returned by the Court below on the ground that the petition is not maintainable without written statement.

4.Considering the facts and circumstances of the case, the revision petitioner is directed to represent the original petition before the trial Court. The learned II Additional District Judge, Thoothukudi, is directed to number the I.A.Sr.No.265 of 2022 in O.S.No.130 of 2021, if it is otherwise in order, without considering the first return.



5.With the above observations, this Civil Revision Petition is partly allowed. No Costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The II Additional District Judge,
Thoothukudi.

COPY TO:

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.
(to return the original documents
by retaining the copy of the same.)

+1 CC to M/s.ESWAR KUMAR & RAO, Advocate (SR-14148[F]
dated 24/03/2022)

Order made in
C.R.P. (MD) No.559 of 2022
22.03.2022

SRK(CO)
GC(07.04.2022) 2P 4C