



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2022

CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

C.R.P (PD) (MD) .No. 938 of 2022

R.Ramayee

... Petitioner

Vs

1.The Tahsildar,
Pugalur Taluk, Taluk Office,
Pugalur, Karur District.

2.The District Collector,
Collectorate,
Thanthonimalai,
Karur.

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to direct the learned Principal District Munsif, Karur to number the suit in unnumbered O.S.Diary No.3829 of 2021 pending on the file of Principal District Munsif Court, Karur.

For Petitioner : Mr.K.Hemakarthiekeyan

For Respondents : Mr.A.Kannan,
Additional Government Pleader

ORDER

This Civil Revision Petition has been filed by the revision petitioner to direct the learned Principal District Munsif, Karur to number the suit in unnumbered O.S.Diary No.3829 of 2021 pending on the file of Principal District Munsif Court, Karur.

2.Heard the learned counsel appearing for both sides and perused the materials available on record.

3.The revision petitioner presented the plaint seeking Death Certificate before the Principal District Munsif Court, Karur. The plaint in unnumbered O.S.Diary No.3829 of 2021 was returned with some queries. The Civil Court cannot issue death certificate and hence the prayer sought by the petitioner is not maintainable. Without deleting the prayer and not complying with the previous return, the plaintiff represented the plaint. With regard to the



first return, no proof has been filed and it can be agitated by the petitioner only at the time of trial and for other returns, the plaintiff is directed to comply with the returns and represent the same.

4.In view of the above, the petitioner is directed to comply with the returns, except return No.1 and represent the same before the trial Court. On such representation, the learned Principal District Munsif, Karur is directed to consider the same on merits.

5.With these directions, this Civil Revision Petition is disposed of. However, the petitioner is directed pay a exemplary cost of Rs.5,000/- (Rupees Five Thousand only) to the respondent within a week, from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

To

1.The Principal District Munsif, Karur.

2.The Record Keeper,
Vernacular Section, Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.SPL.GP. (SR-21148[F] dated 26/04/2022)

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RK(23/05/2022) 2P 5C