



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2022

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THE HONOURABLE MRS.JUSTICE S. ANANTHI

CRP (MD) .No. 2708 of 2018

1.Baby Pings .. Petitioners/Petitioners/
Complainants

2.Minor Daniel Pings
(rep. by 1st petitioner)

Vs.

N.Viji Kumar .. Respondent/Respondent/
1st Respondent

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the docket order dated 25.04.2018 and direct the District and Sessions Judge, Nagercoil to number the un numbered E.P. Of 2018.

For Petitioner ... Mr.M.P. Senthil
For respondent ... No appearance

ORDER

Head the learned counsel appearing the petitioners. Even though the name of the respondent printed in the cause list, no body has appeared.

2. The revision petitioners filed this revision to set aside the docket order, dated 25.04.2018 and direct the District and Sessions Judge, Nagercoil to number the un numbered E.P. Of 2018.

3. On perusal of the records it is seen that both the parties have agreed for compromise and the terms of settlement also executed on the basis of the settlement in Crl.M.P.No.2892 of 2011 on the file of the Judicial Magistrate No.II, Kuzhithurai. The revision petitioners have filed Execution Petition to execute the decree before the District and Sessions Judge, Nagercoil, but, the learned Judge returned the E.P without numbering on various reasons.

4. All the matters in the return is to be decided in Execution Petition after appearing the respondent and it cannot be decided at the time of return and representation. Hence, the learned District and Sessions Judge, Nagercoil is directed to number the E.P and decide the matter on merits after appearing the respondent.



5. Accordingly, the Civil Revision Petition is allowed. No costs.

Sd/-

Assistant Registrar (CS I)

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/ /2022

Sub Assistant Registrar(CS)

trp

Note: Registry is directed to return the original papers after substituting the xerox copy of the same.

To

The District and Sessions Judge, Nagercoil.

Copy to:

The Section Officer(English Records),
Madurai Bench of Madras High Court,
Madurai.(2C)

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MGJ(24.03.2022) 2P 4C