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C.R.P.No.475 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.03.2023

CORAM :

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

C.R.P.No.475 of 2023

R.Rajkumar

... Petitioner/First Defendant

Vs.

1. The Madras Flying Club Ltd.,
Old Airport, Chennai – 600 027,
Rep. by Honorary Secretary,
Capt. Jacob Selvaraj. ... Respondent / Plaintiff

2. The Airport Director,
Airport Authority of India,
Chennai Airport – 600 027.

3. The Regional Deputy Commissioner of Security,
Bureau of Civil Aviation Security,
Chennai Airport,
Chennai – 600 027.

4. The Deputy Director General of Civil Aviation (Southern Region),
O/o DGCA,
Chennai Airport,
Meenambakkam,
Chennai – 600 027. ... Respondents 2 to 4/Defendants 2 to 4

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned VI Assistant Judge, City Civil Court to take on file and number the IA Petition bearing the number 85768 of 2022 and dispose of the petition before the written reply arguments in I.A.No.3 of



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2021 in O.S.No.2019 of 2017.

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For Petitioner : Mr.R.Rajkumar
Party-in-Person

For Respondent 1 : Mrs.R.Nagarani
(Vakalat not filed)

ORDER

This Civil Revision Petition has been filed against the order of the learned VI Assistant Judge, City Civil Court, Chennai returning the Petition filed by the Petitioner in I.A.No.85768 of 2022 in I.A.3 of 2021 in O.S.No.2019 of 2017.

2.It is the contention of the Petitioner, who appeared as Party-in-Person, that the suit had been filed with wrong description.

3.The learned Counsel for the first Respondent/Plaintiff is present in Court. As per her submissions, the Petition filed by the Party-in-Person/first Defendant in the suit was returned by the learned VI Assistant Judge, City Civil Court, Chennai stating that cause title had not reflected as the cause title in the plaint and instead of complying with the returns, the Party-in-Person/Petitioner had approached this Court under Article 227 of the



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Constitution of India seeking direction against the learned VI Assistant Judge, City Civil Court, Chennai to number the Petition. The Petitioner is well within his rights to seek appropriate relief from the Civil Court but he cannot conduct the proceedings according to his whims and fancies. He can choose the Counsel of his choice, if he is not legally trained. As a law abiding citizen of this Country, it is his duty to follow the due procedures in the Court when he is conducting the case by himself.

4.For the return of the Petition filed by the Petitioner, which is found defective by the learned VI Assistant Judge, City Civil Court, Chennai and the Registry of the Court, the Petitioner/Party-in-Person shall have the patience to compare the plaint with his Petition and set rights the defects pointed out in the returns.

5.As per the submission of the Petitioner, the cause title in the plaint itself is wrong. It is misleading. Therefore, he had given a different address and cause title. The said contention of the Petitioner cannot be accepted till the suit is decided based on merits, after collecting evidence and appreciating evidence by the learned VI Assistant Judge, City Civil Court, Chennai, on



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conclusion of the trial. Till such time, the Petitioner cannot have his way of dealing things which is inappropriate, unacceptable and unreasonable before the Court concerned. Therefore, the Petitioner is directed to approach the Court of the learned VI Assistant Judge, City Civil Court, Chennai. If the Petitioner is unable to understand the proceedings, he shall take the assistance of the legally trained Counsel. If he can do it on his own, it is for him to peruse the law books and understand the proceedings.

In the result, **this Civil Revision Petition is dismissed** with a direction to the Petitioner to comply with the returns made by the learned VI Assistant Judge, City Civil Court, Chennai. The learned VI Assistant Judge, City Civil Court, Chennai, is requested that when the Petitioner appears he shall be granted liberty to agitate his rights within the parameters of the Civil Procedure Code. No costs

03.03.2023

srm

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-speaking Order



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To

- 1.The VI Assistant Judge,
City Civil Court, Chennai.
- 2.The Airport Director,
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Chennai Airport – 600 027.
- 3.The Regional Deputy Commissioner of Security,
Bureau of Civil Aviation Security,
Chennai Airport,
Chennai – 600 027.
- 4.The Deputy Director General of Civil Aviation (Southern Region),
O/o DGCA,
Chennai Airport,
Meenambakkam,
Chennai – 600 027.
5. Section Officer,
V.R.Section, High Court, Madras.



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SATHI KUMAR SUKUMARA KURUP, J.

SRM

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