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C.R.P.No.806 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.04.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

C.R.P.No.806 of 2023

1.N.Prema

2.T.R.Prabakaran

N.Sudharsanan (died)

3.N.Padmaja

. . . Petitioners

Versus

Sivagananm (deceased)

1.S.Vijayalakshmi

2.M.Nagarajan

3.Annamalai

4.Ramar

5.The District Collector,
Tirupattur.

6.The Thasildhar
Tirupattur.

7.Village Administrative Officer,
Tirupattur.

8.The Sub Collector,
Tirupattur.

9.The Superintendent of Police,
Tirupattur.

10.The Deputy Superintendent of Police,
District Crime Branch,
Tirupattur.



C.R.P.No.806 of 2023

11. Sub Inspector of Police,
Office of the Superintendent of Police,
Tirupattur.

12. Sub Inspector of Police,
Elagiri Hills Police Station,
Tirupattur.

. . . Respondents

(Respondents 2 to 12 are formal parties hence given up)

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India directing the Additional District Munsif Court, Tirupattur to entertain the petitioner's Counter Claim vide Sr.No.566 of 2022 dated 03.03.2022 and convert as Original Suit on file and also number the same according to law.

For Petitioners : Mr.V.Ragupathy

ORDER

Heard Mr.V.Ragupathy, learned counsel for the petitioners and perused the records.

2.This Civil Revision Petition is filed aggrieved by the return endorsements dated 07.3.2022, 29.3.2022, 21.4.2022, 10.6.2022, 05.7.2022, 22.8.2022, 27.09.2022 and 24.11.2022, respectively made by the learned Additional District Munsif in O.S.No.34 of 2021, who has declined to admit the counter claim by raising certain objections. However, the petitioners without compliance of the objections raised by the learned District Munsif has



C.R.P.No.806 of 2023

approached this Court for a direction to the learned District Munsif to admit the counter claim. The petitioners were expected to re-submit the counter claim after complaining the objections.

3. Since the petitioners approached this Court prematurely without complying the objections, this Civil Revision Petition is disposed of with a direction to the petitioner to re-submit the same within ten days from the date of receipt of a copy of this order and the trial Court is directed to give findings on the objections raised basing on the return submissions within four weeks thereof. No costs.

4. The Registry is directed to return the original bundle on re-replacing the same by the photostat copy.

13.04.2023

Note : Issue order copy on 17.04.2022

Index: Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

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C.R.P.No.806 of 2023

DR.D.NAGARJUN, J.,

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To

1. The Additional District Munsif,
Additional District Munsif Court,
Tirupattur.
2. The District Collector,
Tirupattur.
3. The Thasildhar
Tirupattur.
4. Village Administrative Officer,
Tirupattur.
5. The Sub Collector,
Tirupattur.
6. The Superintendent of Police,
Tirupattur.
7. The Deputy Superintendent of Police,
District Crime Branch,
Tirupattur.
8. The Sub Inspector of Police,
Office of the Superintendent of Police,
Tirupattur.
9. The Sub Inspector of Police,
Elagiri Hills Police Station,
Tirupattur.

C.R.P.No.806 of 2023

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