



C.R.P.(MD)No.512 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2023

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

C.R.P.(MD)No.512 of 2022

A.Subburaj,
S/o.Arunachalam,
Director,
Eternal Electro Element Private Limited,
No.188, Podureddipatti Street,
Pandalkudi Village, Aruppukottai Taluk,
Virudhunagar District

.. Petitioner

Versus

1.Pandiaraj, S/o.Gurusamy Chettiar

2.M/s.EVP and Leeladeevi Agro-Tech
Private Limited,
Rep. by its Director,
Mrs.Leeladevi,
Door No.23, Sarthiakaraya Road,
Pandi Bazaar, T.Nagar,
Chennai – 17.

3.P.S.Rajeswari

4.P.Shanmugam

5.The Sub-Registrar,
Sub-Registrar Office,
Sattur,
Virudhunagar District.

.. Respondents

Prayer :- Petition filed under Section 115 of the Code of Civil Procedure, to call for the records pertaining to the unnumbered amendment petition in I.A.No.Nil of 2022

<https://www.mhc.tn.gov.in/judis>



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in filing No.322, dated 28.02.2022 in O.S.No.179 of 2010 on the file of the District Munsif Court, Virudhunagar District and set aside the docket order passed therein on 28.02.2022 and consequentially direct the learned District Munsif to number the interlocutory application.

For Petitioner	:	Mr.G.Sulthan Sha
For R1	:	Mr.T.Antony Arul Raj
For R2 to R4	:	No Appearance
For R5	:	Mr.M.Prakash Additional Government Pleader

ORDER

The present Civil Revision Petition has been filed seeking to set aside the docket order passed in I.A.No.Nil of 2022, filing No.322, dated 28.02.2022 in O.S.No.179 of 2010, on the file of the District Munsif Court, Virudhunagar District on 28.02.2022 and consequently, to direct the learned District Munsif to number the interlocutory application.

2. From the records, it is seen that the decree that has been drafted pursuant to the judgment passed in O.S.No.179 of 2010 on 14.08.2013, appears to be *prima facie* not consistent with the judgment of the Trial Court. As per Section 152 of the Code of Civil Procedure, if there is any clerical or arithmetical mistakes in judgments, decrees or orders or errors arising therein from any accidental slip or omission, the Court, at any time, can *suo motu* or on application of any of the parties, make suitable changes therein.



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3. Considering the above, the impugned docket order, dated 28.02.2022, is set aside and the learned District Munsif, Virudhunagar, is directed to number the I.A. filed by the petitioner and dispose of the same on merits and in accordance with law after hearing the parties.

4. This Civil Revision Petition stands allowed with the above direction. No costs.

NCC : Yes/No

12.04.2023

Index : Yes/No

Internet : Yes/No

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Note:- Registry is directed to return all the original documents filed along with this revision after getting attesting copies of the same.

To

1.The District Munsif,
Virudhunagar District.

2.The Sub-Registrar,
Sub-Registrar Office,
Sattur,
Virudhunagar District.



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C.SARAVANAN, J.

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Order made in
C.R.P.(MD)No.512 of 2022

12.04.2023