



C.R.P(MD)No.568 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.03.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.568 of 2023

T.Senthil Kumar

... Petitioner/Plaintiff

Vs.

1.Birth and Death Registrar,
Eraniel,
Neyyoor Post,
Kalkulam Taluk,
Kanyakumari District.

2.The State of Tamil Nadu,
Represented by District Collector,
Nagercoil,
Kanyakumari District.

... Respondents/Defendants

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to allow the civil revision petition and set aside the return remarks made in F.No.OS/118/2021 on the file of the District Munsif, Padmanabapuram dated 02.06.2021 and 29.04.2022 and consequently direct the learned District Munsif to number the suit.

For Petitioner : Mr.C.K.Appaji



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ORDER

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The present revision petition has been filed seeking a direction to number the suit that was presented in F.No.O.S/118/2021 for a declaration that one Thangaswamy had died on 10.10.1993. One of the primary returns of the trial Court is that the petitioner has not enclosed the police complaint and the final report of the police.

2. According to the learned counsel for the petitioner, though he had lodged a police complaint, no receipt was issued by the police and the police has not initiated any action or filed any report. Therefore, according to the petitioner, they are having only a copy of the complaint and not having any CSR report or action taken report by the police.

3. Therefore, the trial Court is directed to number the suit without insisting upon any CSR copy or the final report of the police. The other returns pointed out by the trial Court have to be complied with by the plaintiff.



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4. With the above said observations, this Civil Revision Petition stands allowed to the extent as stated above. No costs.

03.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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Note : Registry is directed to return the original plaint to the learned counsel for the petitioner.

To

1.The District Munsif,
Padmanabapuram.

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



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R.VIJAYAKUMAR ,J.

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Order made in
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