



C.R.P(MD)No.908 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.04.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.R.P(MD)No.908 of 2023

and

C.M.P(MD)No.4157 of 2023

- 1.Gunasekaran
- 2.Pandeeswari
- 3.Pandi Selvi
- 4.Suganya
- 5.Gayathri @ Muthumeena
- 6.Rajasekar

... Petitioners/Petitioners/
Plaintiffs

Vs.

- 1.A.Balan
- 2.Kalarani
- 3.The Thasildar
Nilakkottai
- 4.The Village Administrative Officer,
Pallapatti,
Nilakkottai Taluk.
- 5.The Commissioner,
Nilakkottai Union,



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6.The President,
Village Panchayat,
Pallapatti,
Nilakkottai Taluk.

... Respondents 3 to 6/
Proposed Respondents/
Proposed parties

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the docket order, dated 12.01.2023 in I.A.S.R.No.12554 of 2022 in O.S.No.564 of 2022 on the file of the Additional Sub Court, Dindigul and direct the learned Sub Court to number the same.

For Petitioners : Mr.Guhan
For M/s.V.Muthukamatchi

ORDER

The present Civil Revision Petition has been filed against the docket order, dated 12.01.2023 I.A.S.R.No.12554 of 2022 in O.S.No.564 of 2022 on the file of the Additional Sub Court, Dindigul.

2. The petitioners are the plaintiffs before the Additional Sub Court, Dindigul. The said suit has been filed for permanent injunction to restrain the respondents 1 and 2 herein from interfering with the peaceful possession of the suit schedule property. After the suit was filed, the



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petitioners moved an I.A for impleading the official respondents, namely, the Thasildar, Nilakkottai, the Village Administrative Officer, Pallapatti, Nilakkottai Taluk, the Commissioner, Nilakkottai Union and the President, Village Panchayat, Pallapatti, Nilakkottai Taluk.

2. The Court has returned the petition on 17.10.2022 to which the petitioner has also replied back. Since the application has not been numbered, the petitioners have rushed to this Court by way of this Civil Revision Petition. In my view, the return is unnecessary. It is for the Court to come to a conclusion at a later point of time as to whether the relief is to be granted or not to the petitioner/plaintiff in the above suit after hearing the respondents, who are proposed to be impleaded as defendants.

3. Under these circumstances, the Additional Sub Court, Dindigul is directed to number the application filed by the petitioner under Order 1 Rule 10 (2) of C.P.C. and proceed to pass appropriate orders on merits after ordering notice to the respondents herein.



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4. The present Civil Revision Petition stands disposed of with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

03.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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Note: Registry is directed to return the original impugned order to the learned counsel for the petitioner.

To

1.Additional Sub Court, Dindigul.

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



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C.SARAVANAN,J.

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