



C.R.P.(MD)NO.1271 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

C.R.P.(MD)No.1271 of 2023

and

C.M.P.(MD)No.6222 of 2023

1.Jeyarajan

2.C.Kumar

3.N.Lakshmanamoorthy

4.A.A.Adaikalam

...Petitioners

Vs.

1.P.C.Rajendran

2.L.Jayaraman

3.M.Sivasubramanian

4.G.Deivendran

5.Aavudaithangam

6.A.Mathan Kumarpandiyan

7.N.Rajamurugan

8.A.Pitchai



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9.M.A.K.T.Chandra Bose

10.G.Subramanian

11.District Registrar,
District Registrar Office,
Periyakulam Taluk, Theni District.

12.Inspector General of Registration,
Registrar Office,
Chennai.

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying this Court to pass a direction to the Vacation Judge, Theni Criminal Side to number and hear the First Appeal and connected applications filed in Diary Numbers 252 of 2023 (A-19 Register) on 09.05.2023 before the office of the Principal District Judge, Theni or direct any other competent Court to number and take up the appeal along with the stay application.

For Petitioner : Mr.H.Lakshmi Shankar

ORDER

This Civil Revision Petition has been filed for a direction to the learned Judge, who is sitting in vacation at Theni (Criminal Side) to number and hear the First Appeal and connected applications.



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2. Since no adverse order is going to be passed against the respondents, notice to them is dispensed with.

3. The difficulty that is expressed by the petitioner is that a First Appeal is preferred against the judgment and decree of the learned Sub Judge, Periyakulam dated 29.03.2023 passed in O.S.No.16 of 2015. Now, the very same learned Judge is sitting in the vacation Court at Theni and the first appeal is being posted before the very same learned Judge. Hence, the learned Judge is not inclined to take up the case. However, it is brought to notice of this Court that in the same vacation Court, another learned Judge is sitting, who is taking up criminal work. The case in first appeal may be posted before the said learned Judge.

4. Considering the difficulty expressed by the learned counsel appearing for the petitioner, the learned Judge, who is taking up the criminal work at Theni, is directed to take up the First Appeal mentioned above, process the same in accordance with law and hear it on **17.05.2023**.



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5. With the above direction, this Civil Revision Petition is allowed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

11.05.2023
(2/2)

NCC : Yes / No
Index : Yes / No
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Note: Issue order copy on 11.05.2023.



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To

- 1.The Principal District Judge, Theni.
- 2.The Vacation Judge (Criminal Side), Theni.



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S.SRIMATHY, J.

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Order made in
C.R.P.(MD)No. 1271 of 2023
(2/2)

Dated
11.05.2023