



C.R.P.No.2624 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2024

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.2624 of 2024

Sellaganapathy

... Petitioner

Vs.

Krishnaraj

... Respondent

PRAYER: Civil Revision Petition has been filed under Article 227 of Constitution of India, 1950, praying to allow this revision petition and set aside the return dated 08.04.2024 in unnumbered I.A.No. of 2023 in O.S.No.1 of 2006 on the file of the Additional District Judge, Chidambaram.

For Petitioner : Mr.Gururaj
for Mr.D.Baskar

ORDER

This revision has been filed seeking to set aside the return dated 08.04.2024 in unnumbered I.A.No.Nil of 2023 in O.S.No.1 of 2006 on the file of the Additional District Court, Chidambaram.



C.R.P.No.2624 of 2024

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2.The petitioner/first defendant in O.S.No.1 of 2006 had filed unnumbered I.A.No.Nil of 2023 in O.S.No.1 of 2006 seeking accrued interest on the Fixed Deposit amount of Rs.6,00,000/-, which has been deposited in the CCD account. The trial Court returned the petition as follows:

“Legal Heir Certificate to be filed in the petition. Hence returned. Time 2 months”

3.The learned counsel for petitioner submitted that the trial Court had mechanically passed the impugned order. The amount of Rs.6,00,000/- was deposited by the petitioner as per the direction of the Court and the interest amount is ordered to be spent for the Temple. In such circumstances, there is no question of seeking for legal heir certificate of the petitioner.

4.In view of the same, this Court directs the petitioner to resubmit the return, detailing the facts and the Lower Court is directed to consider the



C.R.P.No.2624 of 2024

same, take I.A. on file, if it is otherwise in order and dispose of the same
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within a period of one month from the date of receipt of a copy of this order.

5. With the above directions, this Civil Revision Petition is disposed
of. No costs.

22.07.2024

Index : Yes/No
Internet : Yes/No
Speaking order/Non speaking order
Neutral Citation : Yes/No
rsi

Note: Registry is directed to return the original papers.

To

The Additional District Judge,
Chidambaram.



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C.R.P.No.2624 of 2024

M.NIRMAL KUMAR, J.

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C.R.P.No.2624 of 2024

22.07.2024