



CMP No.19653 of 2021
in OSA (CAD) SR No.85149 of 2021

R.SUBRAMANIAN, J.

and

R.SAKTHIVEL, J.

(Order of the Court was made by R.SUBRAMANIAN,J.)

No doubt true that a petition filed under a wrong provision of law should not be dismissed on that ground alone, but in this case we find that the petition has been filed under Order XIV Rule 8 of the Original Side Rules read with Section 151 of the Code of Civil Procedure. When there is a specific provision in Code of Civil Procedure inherent powers cannot be invoked.

2. Hence in order to put a fullstop to this practice, this petition is dismissed with liberty to the petitioner to file a fresh petition under the correct provision of law.

[R.S.M., J.] [R.S.V., J.]

05.01.2024

jv



WEB COPY



R.SUBRAMANIAN, J.
and
R.SAKTHIVEL, J.

CMP No.19653 of 2021
in OSA (CAD) SR No.85149 of 2021

05.01.2024