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C.R.P. (PD) .No. 3964 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.09.2024

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THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

C.R.P.(PD).No. 3964 of 2024

&

C.M.P.No. 19979 of 2024

Selvi

...Petitioner

Vs.

Kandasamy

...Respondent

Prayer: Petition is filed under Article 227 of the Constitution of India against the order dated 05.08.2024, passed by the Principal District Munsif Court, Attur in I.A.No.4 of 2021 in I.A.No.2 of 2021 in O.S.No.73 of 2021.

For Petitioner : Mr. S.P.Chokalingam

ORDER

The order has been passed by the learned District Munsif, Attur, dismissing the petition filed under Order XXXIX Rule 4 of the Code of Civil Procedure. The said order is susceptible to Civil Miscellaneous



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Appeal under Section 104 (1) read with Order XLIII Rule 1 (r) of the Code of Civil Procedure.

2. Since regular appeal is maintainable, I am not inclined to entertain the Civil Revision Petition. The Civil Revision Petition is dismissed. It is open to the petitioner to prefer Civil Miscellaneous Appeal as against the order passed by the Principal District Munsif, Attur, to the Jurisdictional Appellate Authority. The time taken from 19.08.2024 till date will stand excluded. To make it clear, in case an appeal is filed within a period of one week from today, the Appellate Authority shall number the appeal without insisting upon filing of the application under Section 5 of the Limitation Act. Consequently, the connected miscellaneous petition is closed. No costs.

30.09.2024

Index : Yes/No
Internet : Yes/No
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Note: *The original of the fair and decreetal order that has been filed along with the revision shall be returned to the learned counsel for the*



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petitioner after obtaining an usual endorsement.

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To

The Principal District Munsif,
Attur.



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V.LAKSHMINARAYANAN, J.

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