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CRP No.645 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2024

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRP No.645 of 2024

Ramzan Beevi

... Petitioner

Vs.

1.Shahul Hameed
2.Abdul Salem
3.Kamarunnisha
4.Ahmed Nachia
5. Hasma
6.Haritha
7.Dowlath
8.Junaidha

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the docket order dated 03.11.2023 in EA No.67 of 2023 in EP No.36 of 2021 in OS No.167 of 2010 on the file of the District Munsif's Court, Mannargudi.

For Petitioner

: Ms.R.Meenal



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ORDER

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The civil revision petition is filed to set aside the docket order dated 03.11.2023 in EA No.67 of 2023 in EP No.36 of 2021 in OS No.167 of 2010 on the file of the District Munsif's Court, Mannargudi.

2. The petitioner has filed a suit in OS No.167 of 2010 on the file of the District Munsif's Court, Mannargudi seeking specific performance of an agreement. The suit was decreed in favour of the petitioner. Therefore, she filed execution petition in EP No.36 of 2021 and the same was allowed on 28.04.2023. Subsequently, the respondents filed EA and the same was number subject to maintainability. Hence, challenging the same, the petitioner has filed the present civil revision petition.

3. Learned counsel for the petitioner submits that the respondents have filed the EA only to drag on the proceedings. Hence, seeking to allow the Revision.



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4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. The impugned order dated 03.11.2023 reads as under:

Both counsel present. Other side counsel strongly objected. Subject to maintainability this petition is numbered as E.A 67 of 2023.

6. On a perusal of the impugned order, it is clearly recorded by the learned Judge that subject to maintainability, the petition is numbered. Therefore, the petitioner has no right to question the court numbering of EA No.67 of 2023. There is no illegality in the impugned order. There is no merit in the Revision. Hence, the Civil Revision Petition is dismissed. The District Munsif Court, Mannargudi, is directed to dispose of EA No.67 of 2023, as early as possible. There shall be no order as to costs. Consequently, 3229 of 2024 is closed.

07.03.2024

Index: Yes/No
Internet: Yes/No
mrn



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To
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The District Munsif's Court, Mannargudi.



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V.SIVAGNANAM, J.

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