



C.R.P(MD)No.370 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.R.P(MD)No.370 of 2024

and

C.M.P(MD)No.1724 of 2024

Pradhap Singh

... Petitioner

Vs

1.Pushpabai

2.Selvakumar

3.Jebasingh

4.Robert Singh

5.Thaya Poonkamazh

6.Suganthi Rani

7.Pukazh @ Anna Snehapukash

... Respondents

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Principal Subordinate Court, Padmanabhapuram, to number the unnumbered CMA.SR.No.235 of 2024 dated 12.01.2024.

For Petitioner : Mr.SC.Herold Singh



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ORDER

Expressing grievance over the non-entertainment of the unnumbered C.M.A.SR.No.235 of 2023 by the Principal Subordinate Court, Padmanabhapuram, this Civil Revision Petition has been filed by the petitioner.

2. Against the rejection order passed by the trial Court in unnumbered E.A.No.-- of 2023, a CMA was preferred before the learned Principal Subordinate Judge, Padmanabhapuram. That was not entertained by the trial Court, by stating that how the appeal is maintainable. Against the rejection order, this Civil Revision Petition is filed.

3. Learned counsel for the petitioner would submit that liberty may be granted to the petitioner to re-present the un-numbered CMA to the appellate Court and he is ready to work out remedy there.



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4. In view of the above submission, when the appeal is represented before the Principal Subordinate Court, Padmanabhapuram, subject to the maintainability of the CMA, there shall be a direction to the appellate Court to process the same and decide the maintainability if required, on the judicial side. Let the appeal memorandum be re-presented before the appellate Court immediately.

5. With this liberty, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition stands closed.

15.02.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

Note: (i) Issue order copy on 16.02.2024.

(ii) Registry is directed to return the original CMA petition to the petitioner for further action.

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G.ILANGO VAN, J.

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To

- 1.The Principal Subordinate Court, Padmanabhapuram.
- 2.The Record Keeper, Vernacular Records,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

C.R.P(MD)No.370 of 2024
and
C.M.P(MD)No.1724 of 2024

15.02.2024