



CRP(MD).No.442 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGOVAN

CRP(MD).No.442 of 2024 and
CMP(MD).No.2247 of 2024

1.Priya
2.P.Girijabai

... Petitioners

Vs.

1.A.Selvarani
2.P.Dharmarajan
3.P.Nagarajan
4.P.Pandiarajan
5.P.Anandhalakshmi

... Respondents

PRAYER:- Petition filed under Article 227 of the Constitution of India to set aside the returned docket order in I.A.SR.No.159 of 2024 in A.S.No.3 of 2021 on the file of the Additional District Judge, Paramakudi, dated 31.01.2024 on its file and dispose it of on merits and in accordance with law.

For Petitioner : Mr. D. Selvanayagam

ORDER

This Civil Revision Petition is filed to set aside the returned



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docket order in un-numbered I.A.SR.No.159 of 2024 in A.S.No.3 of 2021 on the file of the Additional District Judge, Paramakudi, dated 31.01.2024 on its file and dispose it of on merits and in accordance with law.

2. The grievance of the petitioners is that they have filed a petition in I.A un numbered SR.No.159 of 2024 in A.S.No.3 of 2021 on the file of the Additional District Judge, Parmakudi to take action against the 1st respondent as well as the proposed appellants / respondents herein that came to be returned stating that the proposed 2nd party has already withdrawn the vakalat, so this petition is not maintainable.

3. Heard the learned counsel appearing for the petitioners. Since no adverse order is passed against the respondents, notice to the respondents is not necessary.

4. The maintainability of the petition ought not to have been decided by the Administrative side. So anything it is required to be clarified it would have been on the Judicial side, but, without doing the same, rejecting the petition on the administration side may not be proper.



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On that sole ground, there shall be a direction to the learned Additional District Judge, Paramakudi, to entertain the petition on the judicial side and decide the same on its own merits.

4. With the above observation, this Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

21.02.2024

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order

trp

Note : Registry is directed to return the original papers after substituting the xerox copy of the same.

To

The the Additional District Judge, Paramakudi.



WEB COPY



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G.ILANGOVA, J.

Trp

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