



W.P(MD)No.6268 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6268 of 2024

Joan Suguna

... Petitioner

Vs.

The Additional Sub Judge,
Additional Sub Court,
Tirunelveli.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to dispose of the petitioner's copy application No.2900/2023, dated 03.03.2023 filed in O.S.No.295/2001 on the file of the Learned Additional Sub Court, Tirunelveli i.e. Respondent herein.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondent : Mr.N.GA.Nataraj,
Standing Counsel.



W.P(MD)No.6268 of 2024

ORDER

WEB COPY

Heard both sides.

2.The petitioner filed Copy Application No.2900 of 2023 seeking certified copy of preliminary decree and judgment in O.S.No.295 of 2001 on the file of the Additional Sub Court, Tirunelveli. Since it was not complied with, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned standing counsel for High Court submitted that the copy application is ready for being complied with and the certified copies sought for by the petitioner can very well be collected at any time.

4.Recording the said submission, this writ petition is allowed. I however have to remark on the sad state of affairs. In the counter affidavit filed by the Secretary, District Legal Services Authority, Tirunelveli an impression has been given as if there was some fault on the petitioner. I cannot accept the same. It is too obvious that the registry attached to the concerned Court was utterly negligent. The bundle had been misplaced and they were not able to trace it. That is why the copy application has been shown as returned and then struck



W.P(MD)No.6268 of 2024

off. It required the personal intervention of the respondent to trace the bundle.

The registry should have been responsible from the very beginning. I direct the Principal District Judge, Tirunelveli to personally look into this issue and ensure that such incidents do not recur. No costs.

20.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

Note :

The Registry to mark a copy of this order to the learned Principal District Judge, Tirunelveli.

To:-

The Additional Sub Judge,
Additional Sub Court,
Tirunelveli.

Copy:-

The Principal District Court,
Tirunelveli.



WEB COPY



W.P(MD)No.6268 of 2024

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.6268 of 2024

20.03.2024