



C.R.P.(MD)No.713 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P.(MD)No.713 of 2024

1.Anitha
2.Prasibha
3.Praveen

... Petitioners.

Vs.

1.The Tahsildar,
Taluk Office,
Radhapuram,
Tirunelveli District.

2.The State rep. through
The District Collector Tirunelveli,
Kokkirakulam,
Tirunelveli District.

... Respondents

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the return docket order dated 21.12.2023 and 03.01.2024 in CNR No.TNKP010006972019 (Filing Number. O.S./204/2023) on the file of the Principal District Munsif Court, Valliyoor and direct to number the same.

For Petitioners : Mr.K.Sudalaiyandi

For Respondents : Mr.J.Ashok
Additional Government Pleader



C.R.P.(MD)No.713 of 2024

ORDER

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This revision petition has been filed to set aside the return docket order dated 21.12.2023 and 03.01.2024 in CNR No.TNKP010006972019 (Filing Number. O.S./204/2023) on the file of the Principal District Munsif Court, Valliyoor and direct to number the same.

2.The learned counsel for the plaintiff would submit that the plaint that has been presented by the petitioner was repeatedly returned by the trial Court questioning the territorial jurisdiction. Against which, this petition has been filed.

3.The learned Additional Government Pleader fairly admits that the residence of the plaintiff lies within the jurisdiction of the trial Court.

4.Deciding the territorial jurisdiction, on the administrative side, without hearing the plaintiff, is not proper on the side of the trial Court. Accordingly, the docket order dated 21.12.2023 and 03.01.2024 in CNR No.TNKP010006972019 (Filing Number. O.S./204/2023) on the file of the Principal District Munsif Court, Valliyoor, is hereby set aside. There



C.R.P.(MD)No.713 of 2024

shall be a direction to the trial Court to entertain the plaint on its judicial side. If any doubt arises that can be decided after hearing the plaintiff's counsel. For that purpose, let the original plaint be returned to the petitioner under due acknowledgment by the Registry, for representation of the same before the trial Court.

5. With the above said directions, this civil revision petition stands allowed. No costs.

19.03.2024

Index : Yes / No
Internet : Yes / No
TM

To

1. The Principal District Munsif, Valliyoor.
2. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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C.R.P.(MD)No.713 of 2024

G.ILANGO VAN,J.

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C.R.P.(MD)No.713 of 2024

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