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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED : 18.10.2024****CORAM
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****C.R.P.(MD).No.1158 of 2024**

R.Vasuki

... Petitioner /Petitioner/
Petitioner / Plaintiff

Vs.

1. Rajarajeswari

... 1st Respondent /1st Respondent/
1st Respondent / Defendant2. The Assistant Elementary Education Officer,
Assistant Elementary Education Office,
Near to Pusaliannan Clinic,
Singampunari Town,
Singampunari Taluk,
Sivagangai District.... 2nd Respondent / 2nd Respondent /
Garnishee / NIL

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned Sub Judge, Melur(1st Additional Sub Judge, Madurai) to number the E.A.No. unnumbered of 2021 in **(*) E.P. No.134 of 2013** in O.S.No.359 of 2010 and dispose of the same.

For Petitioner : Mr.S.Sukumar

For R-2 : Mr.T.Amjad Khan,
Government Advocate.

For R-1 : No appearance.

ORDER



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Heard the learned counsel appearing for the revision petitioner and the learned Government Advocate appearing for the second respondent.

2. The first respondent has been served and her name is also printed in the cause list. However, she has not chosen to enter appearance.

3. The petitioner herein filed O.S.No.359 of 2010 on the file of the Camp Sub Court, Melur for recovery of certain sum of money. The suit was decreed. The defendant is working as a Teacher under the control of the second respondent. The revision petitioner put the decree to execution. She wants Garnishee order to be passed against the second respondent herein. In this regard. E.A. was filed. On the ground that the bundle has not been received from the District Court, E.A. has been kept unnumbered.

4. I direct the Registry of the Principal Sub Court, District Court Campus, Madurai to forthwith transmit the papers relating to O.S.No.359 of 2010 to the executing Court(Sub Court, Melur). Without waiting for the same, the executing Court (Sub Court, Melur) is directed to number the petition-mentioned E.A. The E.P. itself shall be disposed of on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

5. The original E.A. papers have been filed before this Court. Instead of directing the Registry to return the original papers to the petitioner's counsel, I permit the petitioner to file a fresh E.A. on the same cause of action and for the same



relief. Such an E.A. shall be numbered by the Court below. This civil revision
petition stands disposed of. No costs.

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Sd/-

Assistant Registrar (AE)

(*) Amended as per order of the Hon'ble Court dated 02/04/2025 made by the Hon'ble Justice GRSJ

Sd/-

Assistant Registrar (CS II)

// True Copy //

/04/2025

Sub Assistant Registrar
(CS- I/ II / III / IV)

ias

To

(*)To be substituted to the order already despatched on 21/10/2024

1.The Sub Judge,
Melur. (1st Additional Sub Judge, Madurai).

Copy to:

- 1.The Principal Sub Judge,
District Court Campus, Madurai.
- 2.The Assistant Elementary Education Officer,
Assistant Elementary Education Office,
Near to Pusaliyammann Clinic,
Singampunari Town,
Singampunari Taluk,
Sivagangai District.
- 3.The Section Officer,
V.R.Section,



Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1 CC to M/s.S.SUKUMAR, Advocate (SR-58239[F] dated 18/10/2024)

C.R.P.(MD).No.1158 of 2024
18.10.2024

BV (21/10/2024) 4P/ 7C

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KR/04.04.2025 4P/7C

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