



C.R.P.(MD)No.2282 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2282 of 2024
and
C.M.P.(MD)No.12920 of 2024

1.Sakthivel

2.Annavi

... Petitioners / Petitioners / Plaintiffs

Vs.

Thangarasu (Died)

1.The Revenue Divisional Officer,
Kulithalai,
Karur District.

2.The Junior Engineer,
O & M.T.E.B.,
Iyyermalai,
Krishnarayapuram,
Karur District.

3.The Assistant Divisional Engineer,
O & M.T.N.E.B.,
Iyyermalai, Krishnarayapuram,
Karur District.

4.The President,
Panchayat Board,



C.R.P.(MD)No.2282 of 2024

Thaliyampatti,
Kulithalai Taluk,
Karur District.

5.T.Periyakkal

6.T.Saravanakumar

7.Kunjambal

8.Shanthi

9.Lakshmi ... Respondents / Respondents / Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to allow the civil revision petition and set aside the order passed in Unnumbered I.A.No of 2024 in O.S.No.117 of 2013 on the file of the District Munsif Court, Kulithalai dated 09.09.2024.

For Petitioners : Mr.C.Vakeeswaran

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R1

ORDER

Heard the learned counsel appearing for the revision petitioners.
Issuance of notice to the respondents is dispensed with.

2. The petitioners filed O.S.No.117 of 2013 on the file of the District Munsif Court, Kulithalai. It is a suit for declaration and permanent injunction.



C.R.P.(MD)No.2282 of 2024

The case is now at the stage of argument. The petitioners filed IA for amendment under Order 6 Rule 17 of C.P.C. The grievance of the petitioners is that even without numbering the same, IA had been dismissed. It is well settled that the court below has to give disposal only after numbering the IA.

3. In this view of the matter, the impugned order is set aside. The court below shall number the IA and issue notice to the respondents and thereafter, pass an order on merits and in accordance with law. I make it clear that I have not gone into the merits of the matter.

4. The Civil Revision Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

20.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
rmi

NOTE: Issue Order Copy on 20.09.2024



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G.R.SWAMINATHAN, J.

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To:

- 1.The Revenue Divisional Officer,
Kulithalai,
Karur District.
- 2.The District Munsif Court, Kulithalai.

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20.09.2024