



C.R.P.(MD)No.2430 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 03.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2430 of 2024

L.Dhanapal

... Petitioner / Petitioner / Claimant / 3rd Party

Vs.

Arumugm (Died)

... 1st Respondent / 1st Petitioner / 1st Plaintiff

1.Rengasamy

2.Mollammal

3.Veeramani

4.Veerakumar

... Respondents 1 to 4 / Respondents 2 to 5/
Petitioners 2 to 5 / Plaintiffs 2 to 5

Ganesan (Died)

... 6th Respondent/1st Respondent/1st Defendant

5.Manimuthu

6.Pappathi

7.Veerammal

8. Indira

... Respondents 5 to 8 / Respondents 7 to 10/
Respondents 2 to 5 / Defendants 2 to 5

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the docket order dated 24-06-2024 in Unnumbered E.A.No. --- of 2024 in E.P.No.47 of 2023 in O.S.No.164 of 2005 on the file of the Principal Sub Court, Dindigul by allowing this civil revision petition.



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For Petitioner : Mr.B.Azhagesh

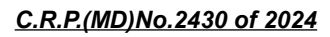
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ORDER

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

2.O.S.No.164 of 2005 on the file of the Principal Sub Court, Dindigul is one for specific performance. It was decreed *ex parte*. To enforce the same, E.P.No.47 of 2023 has been filed. In the said E.P., the petitioner herein filed E.A. The only request made by the petitioner before this Court is that the E.A. should be numbered and given a disposal on merits and in accordance with law.

3.It is well settled that when an application is filed, it must be numbered and then thereafter disposed of. The case of the revision petitioner is that he is a co-sharer in the suit property. The learned counsel for the revision petitioner informs the Court that the impugned docket order was passed without notice to the judgment holder. It is for this reason, I set aside the same without issuing notice. The Court below shall number the petition mentioned E.A. and



4.The civil revision petition is allowed accordingly. No costs.

The Principal Sub Court,
Dindigul.



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G.R.SWAMINATHAN, J.

ias

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