



C.R.P(MD)No.2514 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P(MD)No.2514 of 2024
and
C.M.P(MD)No.14437 of 2024

S.Perumal,
Vice President,
Kalaiaarasi Educational Trust,
Tirunelveli.

... Petitioner /
Petitioner /
Plaintiff

Vs.

1.Kalaiaarasi Educational Trust,
(Registration No.2075/2008),
Tirunelveli,
Through its Secretary.

2.M.R.Paulraj

3.P.Senthilkumar

4.Murugesu Pandian

5.Palaneeswari

6.Bavani Sivakumar



C.R.P(MD)No.2514 of 2024

7.David

8.M.Sivabarathi

9.The Chief Educational Officer,
District Educational Office,
S.N.High Road,
Tirunelveli – 11.

10.The District Collector,
District Collector Office,
Kokkirakulam,
Tirunelveli – 9.

... Respondents /
Respondents /
Defendants

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Additional Sub Court, Tirunelveli to dispose of the petition in I.A.No.5 of 2024 in O.S.No.28 of 2024, dispensing notice to the respondents 7 and 8 within time fixed by this Court by allowing this Civil Revision Petition.

For Petitioner : Mr.H.Arumugam

For Respondents : Mr.T.Amjad Khan
Government Advocate
for R.9 & R.10

ORDER

Heard the learned counsel appearing for the revision petitioner.

Issuance of notice to the respondents is dispensed with.

2/5



C.R.P(MD)No.2514 of 2024

2.The petition under Section 92 of CPC was filed before the Additional Sub Court, Tirunelveli. Without grant of leave, the suit will not be numbered. But it is surprising to note that even without granting leave, the suit has been numbered as O.S.No.28 of 2024.

3.Be that as it may, the only request made by the petitioner is that I.A.No.5 of 2024 in O.S.No.28 of 2024 seeking leave should be disposed of as expeditiously as possible. He points out that all the contesting respondents have been served. It is further stated that the erstwhile tenants alone are yet to be served. The Court below can dispense with the service of notice on respondents 7 and 8 and take up I.A.No.5 of 2024 for disposal.

4.It is further stated that due to inadvertence and typographical omissions, Alamelu who was to be the second petitioner was not included in I.A.No.5 of 2024. To cure the said lacuna, I.A.No.7 of 2024 has been filed. The Court below shall allow I.A.No.7 of 2024 immediately. I.A.No.5 of 2024 will be taken up for enquiry and given disposal within a period of four weeks from the next hearing date. I



C.R.P(MD)No.2514 of 2024

make it clear that I have not gone into the merits of the matter. All the contentions of the contesting respondents are left open.

5.This Civil Revision Petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

18.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

- 1.The Additional Sub Court,
Tirunelveli.
- 2.The Chief Educational Officer,
District Educational Office,
S.N.High Road,
Tirunelveli – 11.
- 3.The District Collector,
District Collector Office,
Kokkirakulam,
Tirunelveli – 9.



WEB COPY



C.R.P(MD)No.2514 of 2024

G.R.SWAMINATHAN, J.

MGA

C.R.P(MD)No.2514 of 2024

18.10.2024