



C.R.P.(MD)No.3408 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P.(MD)No.3408 of 2023

P.Marimuthu

... Petitioner/Defendant

Vs.

Bank of India, Dindigul Branch
represented by its Chief Manager,
having Office at No.3,
Thiruvalluvar Salai, Dindigul Town,
Dindigul District.

... Respondent/Plaintiff

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order passed in Unnumbered I.A(SR) No.3692 of 2023 in I.A.No.2 of 2022 in O.S.No.278 of 2019 on the file of Additional District Judge, Dindigul and direct him to number the petition.

For Petitioner : Mr.K.Mu.Muthu

For Respondent : Mr.K.Vidya



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ORDER

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This civil revision petition has been filed to set aside the order passed in Unnumbered I.A(SR) No.3692 of 2023 in I.A.No.2 of 2022 in O.S.No.278 of 2019 on the file of Additional District Judge, Dindigul and direct him to number the petition.

2.Due to non payment of conditional order, the main petition in I.A.No.2 of 2022 was dismissed on 06.07.2023. Later, application was filed by this revision petitioner, seeking extension of time, that came to be returned by the trial Court. Against which, this revision has been preferred.

3.The maintainability of the petition has been questioned by the trial Court. The maintainability to be decided by the trial Court on its judicial side, not on administrative side.

4.In view of the same, the order passed in Unnumbered I.A(SR) No.3692 of 2023 in I.A.No.2 of 2022 in O.S.No.278 of 2019 on the file of Additional District Judge, Dindigul, is hereby set aside. There shall be a direction to the trial Court to decide the maintainability of said I.A on



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its judicial side by hearing the counsel for the petitioner. Let the above said original petition be represented by the petitioner before the trial Court. For that purpose, the original petition be returned to the petitioner under proper acknowledgment.

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

26.03.2024

Index : Yes / No
Internet : Yes / No
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To

1. The Additional District Judge, Dindigul.

2. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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