



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 23.10.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

C.R.P.No.5105 of 2025

1. D.Jayandar Kumar
2. Anusuya Bai
3. D.Balasubramaniane
4. Sheela Devi

... Petitioners

Vs.

1. K.Kasthuri Bai
2. The State Bank of India,
Karaikal by Branch Manager

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the docket order, dated 23.04.2024 and direct the Judicial Magistrate, Additional Mahila Court, Cuddalore to number the unnumbered I.A.Sr.No.2208 of 2022 in D.V.C.No.14 of 2015.

For Petitioner : Ms.T.Praveena

ORDER

The grievance of the petitioner is that the application filed under Section 5 of the Limitation Act has been repeatedly returned by the Registry/Court without numbering the same. I find that initially the application was returned on the ground that the records were not available in the said Court and hence the petition could not be entertained. However, the last return of the petition show the endorsement “how this petition is



maintainable, to be explained”. Without complying with the said return, the petitioner has straight away rushed to this Court by invoking Article 227 of the Constitution of India.

2. It is open to the petitioner to represent the petition after complying with the return stating as to how the petition is maintainable. In any event if the Judicial Magistrate, Additional Mahila Court, Cuddalore has any doubt regarding the maintainability of the application, then the Court shall hear the counsel for the petitioner in open Court and thereafter decide the fate of the application. The Court should remember that it is only carrying out a ministerial function while registering the application and not a judicial function. Keeping this in mind and also the decision of this Court in ***Selvaraj and Ors Vs. Koodankulam Nuclear Power Plant India Limited and Ors.*** reported in ***2021 (4) CTC 539***, the Court shall accordingly deal with the application.

3. In view of the above, this Civil Revision Petition is allowed. The order dated 23.04.2024 in I.A.Sr. No.2208 of 2022 is set aside.

4. The Original Petition shall be returned by the Registry to the



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counsel for the petitioner after getting the acknowledgement, to enable the petitioner to represent the same before the Judicial Magistrate, Additional Mahila Court, Cuddalore within a period of two weeks from the date of receipt of a copy of this order and the original petition. No costs.

23.10.2025

Speaking Order/Non-speaking Order

Index : Yes / No

Neutral Citation : Yes/No

vum

To

1. The Judicial Magistrate,
Additional Mahila Court, Cuddalore.
2. The Branch Manager,
State Bank of India, Karaikal.

P.B. BALAJI,J.



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