

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

C.R.P.NO.1085 of 2015

and

M.P.No.1 of 2015

1.Gnanasekaran
2.G.Kumutham
3.Minor G.Vishnuvardhan
rep. by his mother and Guardian
G.Kumutham

...Petitioners/Petitioners/
Defendants

Vs.

1.Rajamani
2.Chandrasekaran
3.Nagajothi

...Respondents/Respondents/
Plaintiffs

Prayer: Civil Revision Petition filed has been under Article 227 of Constitution of India, against the fair and decreetal order dated 12.12.2014 made in I.A.No.91 of 2014 in O.S.No.234 of 2010 on the file of III Additional District Judge, Dharapuram.

For Petitioners : Mr.R.Govindaraj

JUDGMENT

The civil revision petition has been filed by the defendants, who filed an application to refer the 2nd plaintiff to psychiatrist for evaluation. On filing of the said application, the Trial Court summoned the 2nd plaintiff and enquired him by putting questions and get answers and also noting the body language as well as demeanor of the witness, the trial Court came to the conclusion that the second plaintiff is able to understand the proceedings and his mental status is normal and therefore dismissed the application.

2. Mr.R.Govindaraj, learned counsel appearing for the petitioners would submit that the father of the first petitioner already released the property by virtue of the release deed dated 18.11.2009. After getting consideration, the said document is sought to be set aside by the petitioners' mother and sister by making use of the alleged mental disorder of the brother. The trial Court, on examination of the parties, came to a conclusion that after noting the demeanor of the party, it cannot take a different view. The trial Court was satisfied with the answers given by the second plaintiff to the questions put to him by the Court. When such satisfactory answers were received by the trial Court, this Court cannot interfere with the order passed by the trial Court.

3. Therefore, the civil revision petition fails and the same is dismissed. No costs. Consequently, connected M.P. is closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

The III Additional District Judge,
Dharapuram.

1 CC to Mr.R.Govindaraj, Advocate SR.No. 14340

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GR (CO)
PSI (06.04.2015)

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