

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2015

CORAM:

THE HON'BLE MR.JUSTICE D.HARIPARANTHAMAN

CRP (PD) No.3560 of 2015

and

M.P.No.1 of 2015

M.Dhanalakshmi

... Petitioner

Vs.

N.Malliga

... Respondent

PRAYER : Petition filed under Article 227 of the Constitution of India against the order made in I.A.No.1049 of 2015, in O.S.No.81 of 2006, on 13.07.2015 by the learned Principal District Munsif at Pondicherry.

For Petitioner : Mr.B.Baskaran

ORDER

The revision petitioner herein is the defendant in O.S.No.81 of 2006 and the respondent herein is the plaintiff.

2. The revision petitioner herein filed I.A.No.1049 of 2015 in O.S.No.81 of 2006 before the Principal District Munsif at Pondicherry, to re-open the evidence for further examination on the side of the defence, which was dismissed by the Trial Court by an order dated 13.07.2015. Aggrieved against the same, this Civil Revision Petition has been filed.

3. The learned counsel appearing for the revision petitioner submitted that the revision petitioner may be given an opportunity to examine the witness on the side of the defence, namely, Vedagiri, otherwise, the revision petitioner would be put to grave hardship.

4. I have considered the submissions made by the learned counsel for the revision petitioner.

5. The Trial Court adjourned the matter from 15.12.2014 to 19.03.2015 for examination of Vedagiri. On 19.03.2015, the learned counsel for the petitioner therein made an endorsement and based on the said endorsement, it was closed. Thereafter, the matter was posted for arguments thrice. Only at that stage, the application was filed to reopen the evidence for examination of Mr.Vedhagiri. Hence, the trial Court thought it fit to reject the application.

6. Though the learned counsel appearing for the revision petitioner has submitted that the counsel wrongly made the endorsement, no affidavit is filed by the counsel, who made the endorsement that the endorsement was made wrongly. Further, it is submitted by the learned counsel for the revision petitioner that the revision petitioner sought to mark the report signed by

Vedagiri. But, the said report is not produced before this Court.

7. For all these reasons, I am not inclined to interfere with the order of the trial Court. Hence, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

26.10.2015

ogy

To

1. The Principal District Munsif,
Pondicherry.

D.HARIPARANTHAMAN, J.

ogy

CRP (PD) No.3560 of 2015

26.10.2015