

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.02.2015

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The Honourable Mr. Justice K.KALYANASUNDARAM

C.R.P. (PD) No.815 of 2015

Allabaksh .. Petitioner/defendant

Vs.

Batsha ... Respondent/Plaintiff

Civil Revision Petition has been filed to set aside the Fair and Decreetal order dated 10.01.2014 in I.A.No.200 of 2013 in O.S.No.182 of 2008 on the file of the Subordinate Judge, Perambalur.

For Petitioner : Mr.E.K.Kumaresan

ORDER

The defendant in O.S.No.1182 of 2008 on the file of the Sub Court, Poonamallee is the petitioner before this Court. The respondent had instituted the suit against the petitioner for recovery of money based on a promissory note.

2. The main contention of the petitioner is that on the date of the alleged promissory note, the plaintiff was in abroad and the promissory note is a fabricated one. On the application filed by the petitioner, the plaintiff has produced the original passport before the Trial Court. Subsequently, the petitioner filed an application in I.A.No.200 of 2013 to send for the

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document relating to the Passport Officer. The said application was
dismissed by the Trial Court. Aggrieved by the order, the present revision
is filed.

2. Mr.E.K.Kumaresan, learned counsel for the petitioner submitted
that though the plaintiff had produced the original passport, there is no
clarity in the passport and only to clarify the same, the petitioner has filed
the application. It is further submitted that the trial court has given
liberty to the petitioner to summon the Passport Officer to clarify the
doubts in the passport and the counsel seeks liberty to examine the witness
with relevant documents.

3. In view of the above submission, this Civil Revision is disposed of
giving liberty to the petitioner to examine the passport officer with all
relevant records. No costs.

25.02.2015

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To

1. The Subordinate Judge, Perambalur.

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