



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 9/1/2015

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

C.R.P. PD(MD) No.1084 of 2014

and MP(MD)No.1 of 2014

1. Durairaj
2. Ramaraj
3. Suruli

..Petitioners/Respondent/Defendants
Vs.

1. Subbuthai
2. Velayudam

..1st Respondent/Respondent/Plaintiff
..2nd Respondent/Petitioner/PW2

Petition filed under Article 227 of the Constitution of India praying to set aside the fair and decreetal order passed in I.A.No.24 of 2013 in O.S.No.215 of 2010 on the file of the District Munsif-cum-Judicial Magistrate Court, Andipatti dated 17/6/2013.

For petitioners

... Mr.T.Selvan

For respondents

... Mr.R.Suriyanarayanan

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O R D E R

The suit is filed for declaration of title and for injunction. The plaintiff had filed an application under Order 14 Rule 3 of the Code of Civil Procedure marking certain documents through P.W.2. The second respondent is P.W.2, through whom only the documents were marked. The learned District Munsif, Andipatti though held that P.W.2 is not the plaintiff, however, allowed the application holding that the documents can be marked only through the witness, who has got the knowledge about the same. Aggrieved by the same, the present Civil Revision Petition has been filed by the plaintiff.

2. Now, the learned counsel for the respondents submit that he will not press I.A.No.24 of 2013 and he will not mark the documents through P.W.2.

3. Recording the submission made by the learned counsel appearing for the respondents, this Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

The District Munsif-cum-Judicial Magistrate, Andipatti.

+1CC to M/s.T.Selvan, Advocate in SR.1488

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