

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

C.R.P.(PD) No.1962 of 2016

Sadayan @ Palaniappan

... Petitioner

Vs.

Anai Goundar

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decretal order dated 20.01.2016 in I.A.No.1110 of 2015 in O.S.No.294 of 2013 on the file of the learned District Munsif cum Judicial Magistrate, Omalur.

For Petitioner : Mr.S.Kalyanaraman

ORDER

This revision arises out of the order passed by the learned District Munsif cum Judicial Magistrate, Omalur in I.A.No.1110 of 2015 in O.S.No.294 of 2013 dated 20.01.2016.

2.Heard learned counsel for petitioner.

3.By way of the order impugned, the Court below has rejected the prayer for joint trial of three actions, informing that the actions

therein are related to different properties and the plaintiffs are also different and therefore, it was not conducive to pass an order of joint trial.

4.Learned counsel for petitioner submits that the factual position informed in the order of Court below is correct. However, in all the three actions, the petitioner is the defendant and his defence in all the three actions is one and the same and further, all cases are at the stage of trial.

5.This Court finds no error in the order under challenge. However, taking note of the submissions of learned counsel for petitioner, this Court, leaves it open to the Court below to consider the feasibility and propriety of trial of all the three actions together.

6.With the above observation, this Civil Revision Petition is disposed of. No costs.

30.06.2016

Index:Yes/No
Internet:Yes
DP

To

The District Munsif
cum Judicial Magistrate,
Omalur

C.T.SELVAM.J,

DP

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