

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE C.T. SELVAM

C.R.P.(PD)No. 2052 of 2016

and

C.M.P.No. 11185 of 2016

Ondi ... Petitioner/Applicant/Appellant

Vs.

Chinnathambi ... Respondent/Respondent/Respondent

Civil Revision Petition filed under Article 227 of Constitution of India, against the fair and decretal order dated 09.09.2015 passed in I.A.No. 36 of 2013 in C.M.A.No. 4 of 2013 on the file of Sub Judge Mettur, Salem District.

For Petitioner : Mr.M.R.Jothimanian

ORDER

The petitioner/applicant has filed O.S.No. 201 of 2012 on the file of learned District Munsif, Mettur, for the relief of permanent injunction wherein he has moved I.A.No. 666 of 2012 claiming interim injunction. The same initially was granted, but subsequently vacated. Against such order, the petitioner preferred C.M.a.No. 4 of 2013. In the said CMA, the petitioner moved I.A.No. 3 of 2013 seeking admission of additional evidence in the form

of House Tax receipt, Water Tax receipts, Electricity consumption receipts etc. The Court below has dismissed such application, against which, the petitioner has preferred this revision.

2. Heard Counsel for petitioner.

3. In dismissing the Interlocutory Application, the Court below rightly has taken note of the requirements of Order 41 Rule 27 (aa) and Section 151 CPC and noted that the requirements of the trial Court wrongly refusing to admit such documents or that the petitioner earlier was not able to produce the same before the trial Court despite due diligence reason were not met. Hence, this Court does not find any merits in this revision.

4. The Civil Revision Petition is dismissed accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

vsg

01.08.2016

Index: Yes/No

Internet: Yes/No

To

Sub Judge Mettur, Salem District.

C.T. SELVAM, J.

vsg

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