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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2016

CORAM:

THE HONOURABLE MS.JUSTICE V.M. VELUMANI

CRP (PD) (MD).Nos.111 of 2016 and CMP(MD).No.482 of 2016
and CRP (PD) (MD).Nos.112 of 2016 and CMP(MD).No.483 of 2016

1. M/s. Super Wind Project Private Limited,
3rd Floor, SaiHiraMundhwa Road,
Pune. Rep. By its Power Agent P.N. Ravi.

2. M/s. Subh Reality (South) Pvt. Limited,
1/3 Leo's Building,
Salaipudur Road, Opp. TV Tower,
Valliyoor - 627 117
Rep.by its Power Agent,
N.Iyyakutty

: Petitioners in both CRPs

Vs.

1. Ittoop, T. Malliyekkel
rep. Through its power of attorney
P.L. Augustine

2. Vasantha

3. M. Nellaiappan

4. Chief Engineer,
Non-Conventional Energy Department,
800-Anna Salai, Chennai-2

5. Superintending Engineer,
Wind Farm Development Maharja Nagar,
Palayamkottai, Thirunelveli

6. State of Tamil Nadu,
rep. By District Collector,
Thirunelveli.

... Respondents in both CRPs

Prayer: The Civil Revision Petitions are filed under Article 227 of the Constitution of India against the fair and decretal order passed in I.A.Nos.1297 and 1298 of 2015 in O.S.No.206 of 2010 dated 09.10.2015, by the learned Principal District Munsiff, Thenkasi.

For Petitioners

For Respondent No.1

For Respondent Nos.4 to 6

: Mr.M. Ravi in both CRPs

: Mr. S. Ramesh @ Ramaiah

: Mr. G. Muthukannan

Government Advocate

**COMMON ORDER**

WEB COPY The Civil Revision Petitions have been filed against the fair and decretal order, passed in I.A.Nos.1297 and 1298 of 2015 in O.S.No.206 of 2010, dated 09.10.2015, by the learned Principal District Munsiff, Tenkasi.

2. The revision petitioners are the defendants 1 and 2. The first respondent is the plaintiff. The respondents 2 to 6 are the defendants in the suit.

3. The petitioners filed a suit for declaration and recovery of possession. The petitioners and other defendants have filed written statement in the suit. After framing issues, the trial has commenced. The plaintiff side evidence was closed and the suit was posted for defendants' side evidence. At that time, the petitioners filed I.A.Nos.1297 and 1298 of 2015, to reopen and recall the evidence of PW.1. The learned Principal District Munsif, Tenkasi, dismissed both the applications. Against that orders, the present Civil Revision Petitions are filed.

4. When the Civil Revision Petitions are taken up for hearing, the learned counsel for the first respondent / plaintiff has submitted that PW.1 is available in India till 29.02.2016 and he has no objection to recall and reopen the evidence of PW.1. The learned counsel for the petitioners has also agreed to cross-examine PW.1 only on 23.02.2016.

5. Taking into consideration of the contentions of the learned counsel for the petitioners as well as the respondents, the Civil Revision Petitions are disposed of, directing the learned Principal District Munsif, Tenkasi, to recall the evidence of PW.1 and permit the petitioners to cross-examine PW-1 viz., first respondent / plaintiff, on 23.02.2016. No costs. Consequently, Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(AS)



To

1.The Principal District Munsif,
Tenkasi.

2.The Chief Engineer,
Non-Conventional Energy Department,
800-Anna Salai, Chennai-2.

3.The Superintending Engineer,
Wind Farm Development Maharja Nagar,
Palayamkottai, Thirunelveli.

4. The District Collector,
Thirunelveli.

+2cc to Mr.S.Ramesh @ Ramiah, Advocate Sr.Nos.9290 and 9291
+1cc to Mr.M.Ravi, Advocate Sr.No.9486

akm/18.02.2016/3p-8c/NGM/SS/AR-I

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