



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 27.06.2016

CORAM

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P. (MD) No.1265 of 2016

and

C.M.P. (MD) No.6064 of 2016

M.Selvaraj

.. Petitioner/Petitioner/Defendant

vs.

1.Logesh

2.Nivetha

.. Respondents/Respondents/Plaintiffs

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order, dated 26.10.2015 passed in I.A.No.385 of 2015 in O.S.No.26 of 2014 on the file of the Third Additional District Court, Tiruchirappalli.

For Petitioner

: Mr.A.Sankararama Subramanian

ORDER

This revision arises out of the order passed by the Third Additional District Court, Tiruchirappalli in I.A.No.385 of 2015 in O.S.No.26 of 2014.

2. The petitioner is the defendant in the suit in O.S.No.26 of 2014 and the respondents are the son and daughter of the petitioner respectively. The respondents filed the suit for maintenance. Pending suit, the petitioner filed an application I.A.No.385 of 2015 under Order 18 Rule 17 and Section 151 of C.P.C., seeking permission to examine the mother of the respondents/plaintiffs alleging that he had purchased some properties in the name of the plaintiffs and to establish the same, she is to be examined.

3. The learned Judge dismissed the application observing that the petitioner can prove his case by filing sufficient documents and hence he cannot compel his opposite party to give evidence on his behalf.



4. I do not find any illegality or irregularity in the order impugned in the revision. In the result, this Civil Revision Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

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Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS)

To

The Third Additional District Judge, Tiruchirappalli.

+1cc to Mr.G.Kannan, Advocate, Sr.No.33476

Ps

JM/ARK-PV/02.08.2016/2P-3C

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