



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.08.2016
CORAM:

THE HONOURABLE **MR. JUSTICE K. KALYANASUNDARAM**

WEB COPY

C.R.P (MD) No.1602 of 2016 (PD)
and
C.M.P (MD) .7832 of 2016

Alphonse .. Petitioner

Vs.

1.K.P.Joseph
2.Thresammal Chacko .. Respondents

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to against the fair and decretal order dated 30.01.2015, in I.A.No.664 of 2014 in O.S.No.520 of 2004 on the file of the learned I-Additional District Munsif Court, Nagercoil, Kanyakumari District.

For Petitioner : Mr.H.Arumugam

ORDER

This revision arises out of the order passed by the learned Additional District Munsif, Nagercoil, Kanyakumari District, in I.A.No.664 of 2014 in O.S.No.520 of 2014.

2. The petitioner is the plaintiff in O.S.No.520 of 2004. He filed the suit against the respondents, claiming damages. Pending Suit, the respondents filed an application in I.A.No.664 of 2014 to reconstruct Ex.X.6. Despite objection made by the plaintiff, the learned District Munsif, Nagercoil, Kanyakumari District, allowed the application. Aggrieved over the same, the present revision is filed.

3. Mr.H.Arumugam, learned counsel for the petitioner would submit that in the affidavit filed in support of the application,



the respondent mentioned the documents Ex.X6, X7 and X8, however, in the prayer, he has restricted to X6 alone.

4. The learned counsel would further submitted that in respect of Ex.X7 to X9, the prayer to mark the documents were already rejected by this Court in C.R.P.(MD)No.193 of 2005, as unnecessary. However, now, under the pre-text of marking Ex.X6, an attempt is made by the defendant to mark those documents. The learned counsel for the petitioner would further submit that the petitioner has no serious objections for reconstruction of Ex.X6.

5. Heard the learned counsel for the petitioner and perused the records.

6. The petition came to be filed only for reconstruction of Ex.X-6. According to the learned counsel, the petitioner has no objection. Therefore, I do not find any merits in this revision. In the result, the Civil Revision Petition is dismissed. Consequently, connected miscellaneous petition is closed. However, it is made clear that the respondent can be permitted to mark the documents in the light of the order passed in C.R.P.(MD)No.193 of 2005.

No Costs.

Sd/-
Assistant Registrar(Crl.Side)

/TRUE COPY/

Sub Assistant Registrar

To
I-Additional District Munsif Court,
Nagercoil, Kanyakumari District.

+1cc to M/S.H.ARUMUGAM, ADVOCATE, SR NO:47507

pjl

JA-SS-3-7.10.2016-2P:3C

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