



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2016

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Rev.Aplc (MD)No.64 of 2016
and
CMP(MD)No.7069 of 2016

R.Hariprasad : Applicant/Petitioner

Vs.

A.Devadhas : Respondent/Respondent

Prayer: Review Application is filed under Order 47, Rule 1 read with Section 114 of the Civil Procedure Code, to review the order, dated 23.06.2016 of this court and made in CRP(MD)No.1234 of 2016.

Prayer in CRP(MD). 1234/ 2016 :

Civil Revision Petition is filed under Article 227 of the Constitution of India against the order and decreetal order dated 6.04.2016 of the learned Subordinate Judge, Padmanabhapuram, made in I.A.No.183 of 2016 in O.S.No.197 of 2010.

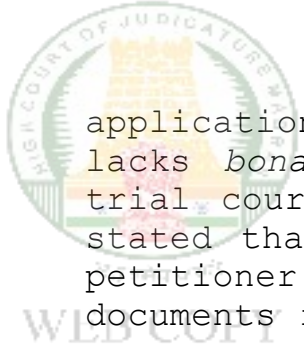
For Applicant : Mr.K.N.Thampi

O R D E R

This application has been filed to review the order, dated 23.06.2016 passed in CRP PD(MD)No.1234 of 2016.

2.O.S.No.197 of 2010 was filed by the respondent against the petitioner for recover of money based on a promissory note. The suit is being contested by the petitioner by filing a written statement, dated 08.02.2011 refuting the allegations made in the plaint. During trial, in order to prove his case, the plaintiff examined witnesses. Subsequently, the petitioner filed an application to send the promissory note marked as Ex.A1 along with Vakalat and summons for the opinion of an expert. The application came to be dismissed. Challenging the order, the petitioner filed the civil revision.

3.This court having found that earlier applications filed by the petitioner in the suit were dismissed and the present



application filed after six years of the institution of the suit lacks *bonafide* and concurring with the reasons assigned by the trial court, dismissed the revision. However, in para 10, it is stated that the contemporaneous document was not produced by the petitioner and the application was filed only to recall the documents from the custody of the Bank.

4. Heard Mr.K.N.Thampi, learned counsel appearing for the applicant and perused the materials available on record.

5. This court in paragraphs 8, 9 and 11 narrated the facts and reasons for dismissing the revision petition. So, the observation made in para 10 cannot be considered as an error apparent on the face of records. I do not find any merit in this application.

6. In the result, this review application is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

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To,
The Subordinate Judge, Padmanabhapuram.

+1CC to Mr.K.N.Thampi, Advocate Sr.No.49808

GJM/PV/4.10.2016-2p-3c

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