

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.08.2017

CORAM

THE HON'BLE MR.JUSTICE M.GOVINDARAJ

CRP.(PD).No.2857 of 2017

&

CMP.No.13477 of 2017

1.Mr.Abbas

2.Mr.Mubarak

...Petitioner

..Vs..

Mr.Younis Sultan

...Respondent

Prayer : Civil Revision Petition filed Under Article 227 of the Constitution of India to set aside the Fair and Decretal order dated 17.06.2017 passed by the Learned District Munsif, Coonoor in I.A.No.51 of 2017 in O.S.No.67 of 2011.

For Petitioner : Mr.A.Immanuel

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ORDER

This Civil Revision Petition is directed against the dismissal of a petition in I.A.No.51 of 2017 in O.S.No.67 of 2011 on the file of the

learned District Munsif, Coonoor, directing the plaintiff / respondent herein to produce the original settlement deed No.42/2011 on the file of the Sub-Registrar, Coonoor. The trial Court has rightly dismissed the petition.

2.It is the grievance of the petitioners/defendants 1 & 2 that, in future, the Court, at its discretion, can reject the documents or may not rely on this.

3.It is the admitted case that the settlement deed, registered document, xerox copy of the documents are marked before the Court as Exhibits, without any objection from the plaintiff's side. In that event, if the petitioner has any apprehension or it cannot be relied on by the trial Court, he can steps under Order XIII Rule 3 of C.P.C. The petitioners can always get the certified copy of the registered settlement deed No.42/2011 on the file of the Sub-Registrar, Coonoor. The petitioner is not entitled to compel the plaintiff to produce the original copy of Ex.B1, which is the settlement deed as it is marked without any objection.

4.Considering the facts and circumstances, this Court does not find any reason to interfere with the order passed by the trial Court. Since the matter is pending from the year 2011, the trial Court is directed to dispose of the suit as expeditiously as possible.

4.Accordingly, this Civil Revision Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

24.08.2017

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Index:Yes/No
Internet:Yes/No

To

The Learned District Munsif,
Coonoor.

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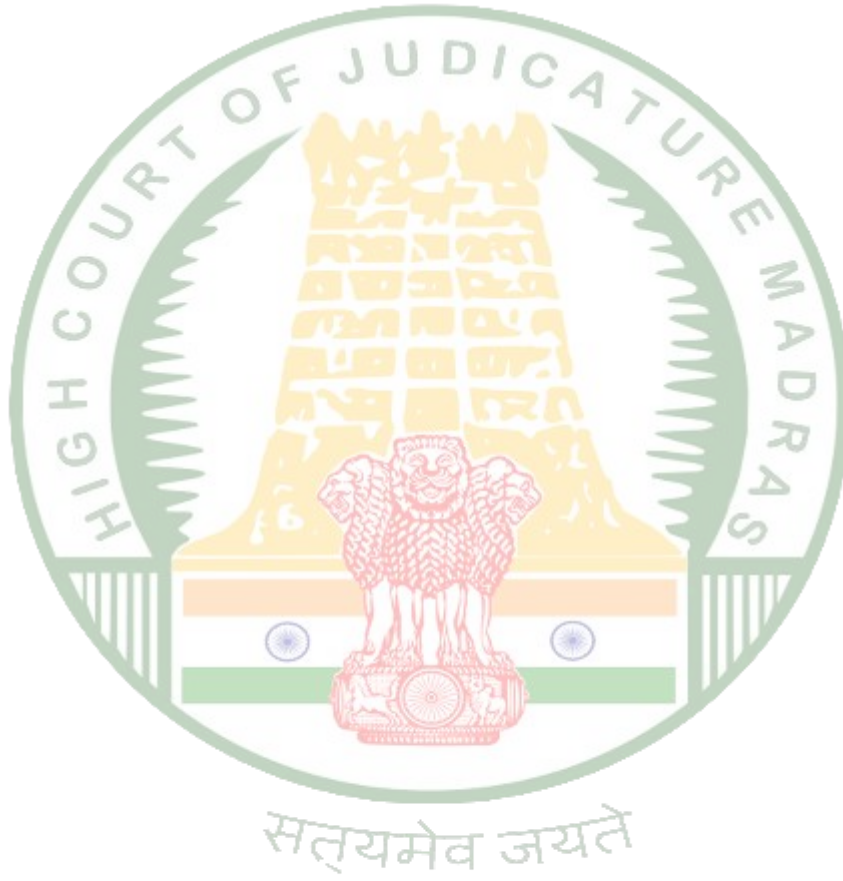
M.GOVINDARAJ, J.
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