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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.10.2017

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRMANIAN

Review Application(MD)No.221 of 2017

in

CMSA(MD)No.53 of 2011

and

CMP (MD)No.9674 of 2017 in Rev Apl (MD) No.221/17

Vimala

... Review Petitioner

Vs.

Kubendran

S/o.Nagooran

M/s.Pattukkottai Builders and Construction,

AVC Complex, Periakadai Theru,

Pattukkottai District.

...Respondent/Petitioner

Review Application has been filed under Order XLVII Rule 1 r/w Section 114 of the Civil Procedure Code, against the judgment and decree passed in C.M.S.A.(MD)No.53 of 2011 dated 28.06.2017 on the file of the Madurai Bench of Madras High Court.

Prayer in CMSA(MD). 53/ 2011 :

To prefer this Memorandum of Grounds of Appeal filed u/s 28 of the Hindu Marriage Act, against the order and decreetal order made in C.M.A.No.43 of 2010 , daed 29.06.2011 on the file of I Additional Sessions Judge(PCR),Thanjvur, reversing the judgment and decree in H.M.O.P.No.190 of 2008, dated 24.08.2010 on the file of Principal Sub Court,Thanjavur.

For Review Petitioner : Mr.E.D.Prakash

For Respondent : Mr.M.V.Venkataseshan

JUDGMENT

This Review Application has been filed for seeking review of the judgment dated 28.06.2017, rendered in CMSA (MD)No.53 of 2011.

2.The grounds of review does not show any error on the face of the record. The learned counsel for the review petitioner would contend that the incident narrated in the depositions of P.Ws.2 and 3 never happened. Therefore, there is an error on the face of the record. I have referred to the said evidence and I have observed that in the cross examination of P.Ws.2 and 3, the fact that such an incident took place was not disputed. Therefore, I do not think there is any ground made out for interference in



this Review Application and the Review application is dismissed. However, there will be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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/True Copy/

Sub Assistant Registrar

To

The I Additional Sessions Judge (PCR),
Thanjavur.

+1cc to Mr.E.D.Prakash, Advocate Sr.No.83471

JV

VB/MR/KKR/SAR2/11/12/2017/2P/3C

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in
CMSA (MD) No.53 of 2011
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