



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2017

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

C.R.P. (PD) (MD) No.2406 of 2016
and
CMP (MD) No.11342 of 2016

T.Perumalsamy

... Petitioner

Vs.

1. Balaji
2. Kothaiammal
3. Muralidharan
4. Jeyabharathi
5. Valarmathi

... Respondents

Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and final order dated 14.09.2016 made in I.A.No.270 of 2016 in O.S.No.46 of 2012 on the file of the Subordinate Judge, Virudhunagar District.

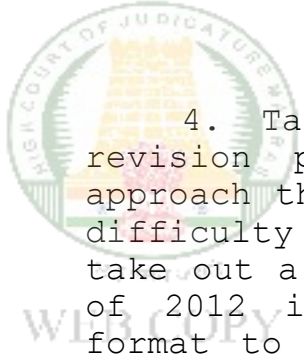
For Petitioner : Mr.P.Santhosh Kumar
For R1 to R3 : Mr.V.Perumal

O R D E R

The Civil Revision Petition is filed against the fair and final order dated 14.09.2016 made in I.A.No.270 of 2016 in O.S.No.46 of 2012 on the file of the Subordinate Judge, Virudhunagar District.

2. An application filed under Section 151 of C.P.C., to send for records pertaining to O.S.No.154 of 2009, which was dismissed as not pressed. The trial Court has observed that if the petitioner wants to rely upon the documents, he can get a certified copy of it and mark it as a document and it is needless to seek for production of document. The application also opposed by the respondents on the ground that the application is not in the format as contemplated under Civil Rules of Practice.

3. The learned counsel for the revision petitioner submitted that since the suit was dismissed as not pressed even before issuance of notice to the defendant, there is some practical difficulty for him to get the certified copy of the pleadings.



4. Taking note of the submission, this Court dismiss the revision petition with liberty to the revision petitioner to approach the concerned Court for certified copy and if there is any difficulty in getting the certified copy of the pleadings, he can take out a fresh application before the trial Court where O.S.No.46 of 2012 is pending with appropriate application in appropriate format to get these documents for trial. The revision petitioner shall exercise his action within a period of three months from this date. No costs. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

The Subordinate Judge,
Virudhunagar District.

+ 1 CC TO Mr.V.PERUMAL, ADVOCATE IN SR No. 17294

AKV

TE/RR/SAR-IV : 25/04/2017 : 2P/3C

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