

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No.1 of 2018
and
CMP. No.1 of 2018

M/s.Greenish India Trades Pvt. Ltd.,
Rep. by its Director Ashraf Ali,
No.35 (Old No.15), Ground Floor,
Santhome High Road,
Mylapore, Chennai - 600 004.

.. Petitioner

Vs

1.G. Kasthuri
2.S.Giridhari

.. Respondents

PRAYER: This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 14.11.2017 in Transfer O.P.No.98 of 2017 on the file of Principal Judge, City Civil Court, Chennai by transferring the O.S. No.4983 of 2016 to some other date in City Civil Court, Chennai as prayed for in the Transfer O.P.No.98 of 2017.

For Petitioner :Mr.G.V.Sridharan

ORDER

This Civil Revision Petition is filed against the dismissal order dated 14.11.2017 passed by the learned Principal Judge, City Civil Court, Chennai in Transfer O.P.No.98 of 2017.

2. The learned counsel for the petitioner submitted that the revision petitioner has filed O.S. No.4983 of 2016 against the respondents before the learned XIII Assistant Judge, City Civil Court, Chennai for declaration and permanent injunction and the suit is posted for hearing on 08.08.2017. According to the learned counsel for the petitioner the trial Court without providing sufficient opportunities, to prove the case of the petitioner, by producing the necessary documents to be obtained from the Government authorities through the Right to Information Act. Those documents are required to be marked through subpoena, evidence of various authorities. Therefore, sufficient opportunities was not granted to the petitioner to place necessary materials before this Court. Hence, the revision petitioner has filed the Tr.O.P.No.98 of 2017 before the Principal City Civil Court, Chennai.

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. A perusal of the order passed by the Court below shows that the petitioner has raised allegation that the trial judge did not grant time to mark the documents and acted in a biased manner. The learned Principal Judge holding that the trial judge has allowed the re-open petition filed by the petitioner and the same is pending for PW1 chief continuation and rejected the allegation made by the petitioner.

5. After perusing the records, the Court below has rightly dismissed the petition. Therefore, there is no ground to entertain the Civil Revision Petition by this Court.

6. Ultimately, the Civil Revision Petition fails and accordingly the same is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

सत्यमेव जयते

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Index: Yes/ No

Internet : Yes/No

Speaking Order/Non Speaking Order

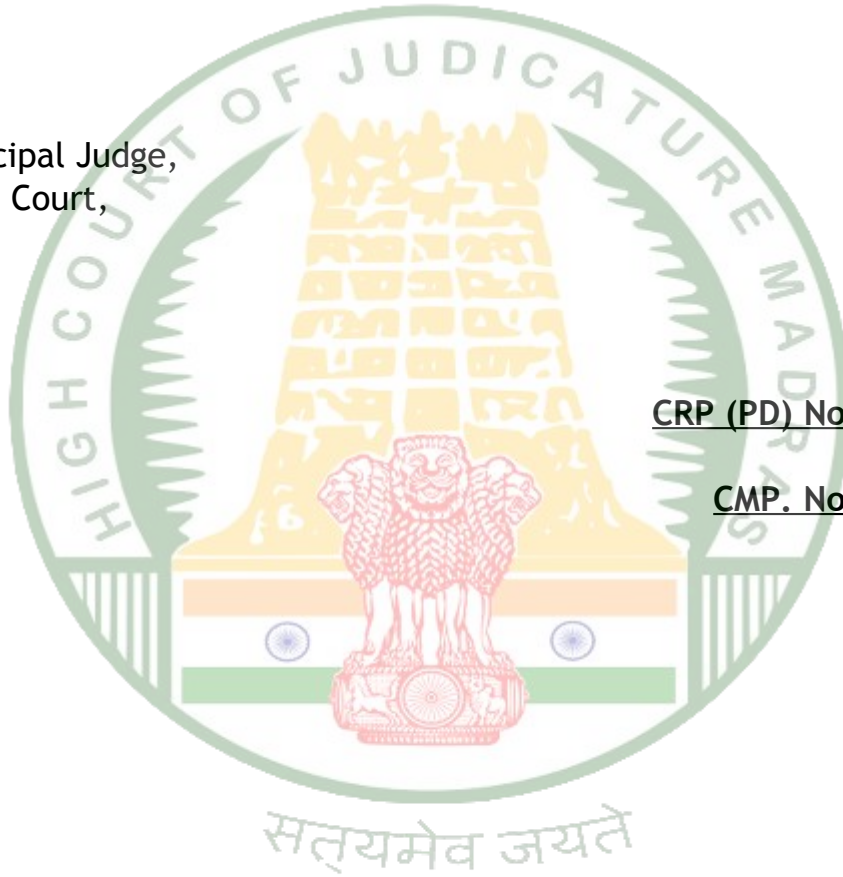
rkp

D. KRISHNAKUMAR J.,

rkp

To

The Principal Judge,
City Civil Court,
Chennai.



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