

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

C.R.P (PD) Nos. 4736 & 4737 of 2017

and

C.M.P. No.22294 of 2017 in C.R.P. (PD) No.4736 of 2017

Mr.A.T.Shanmugam ... Petitioner in both CRPs

Vs

Mrs.P.Gandhimathi .. Respondent in both CRPs

PRAYER in both CRPs: These Civil Revision Petition are filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 28.03.2017 passed in I.A. No.1285 & 1286 of 2016 in O.S. No.755 of 2004 on the file of the Principal District Munsif, Alandur.

For Petitioner
in both CRPs

:Mr.T.Thiyagarajan

COMMON ORDER

This Civil Revision Petition arises against the fair and decreetal order dated 28.03.2017 passed in I.A. No.1285 & 1286 of 2016 in O.S. No.755 of 2004 on the file of the Principal District Munsif, Alandur.

2. The petitioner has filed the suit in O.S. No. 755 of 2004 for recovery of possession. In the aforesaid suit, the respondent filed her written statement on 21.02.2006. Subsequently, the petitioner filed Interlocutory Applications in I.A. No.1285 and 1286 of 2016, seeking to re-open the above suit for examination of witnesses and to permit the petitioner to issue summon to the official witness and examine, respectively. The court below dismissed the said applications, holding that the petitioner had already filed I.A. No. 1251 of 2014 to reopen his side evidence for letting in further documents and the same was allowed. The petitioner also marked Ex.A-7 to Ex.A-10, particularly, Ex.A-9 the information received by the plaintiff under Right to Information and the same has also been marked without any objection. Later, when the case was posted for arguments, the instant application has been filed, which clearly shows that the same has been filed only to protract the proceedings. Aggrieved by the same, the petitioner has filed the revision petition before this Court.

3. According to the petitioner, the respondent has filed forged and

fabricated documents before the court below. In order to disprove the said documents and to show that the same are forged and fabricated, the petitioner has filed the additional documents obtained under the Rights to Information Act.

4. From the above said facts, it is clear that additional documents have already been filed under Ex.A7 to Ex.A10 and particularly A9. Therefore, the court below has rightly observed and dismissed the said applications. Therefore, this court is not inclined to interfere with the order of the court below.

5. In fine, both the Civil Revision Petitions fail and the same are dismissed. Consequently, the connected Miscellaneous Petition is closed. No order as to costs.

Speaking / Non Speaking order
Index :Yes/No

[Issue order copy on 03.05.2018]
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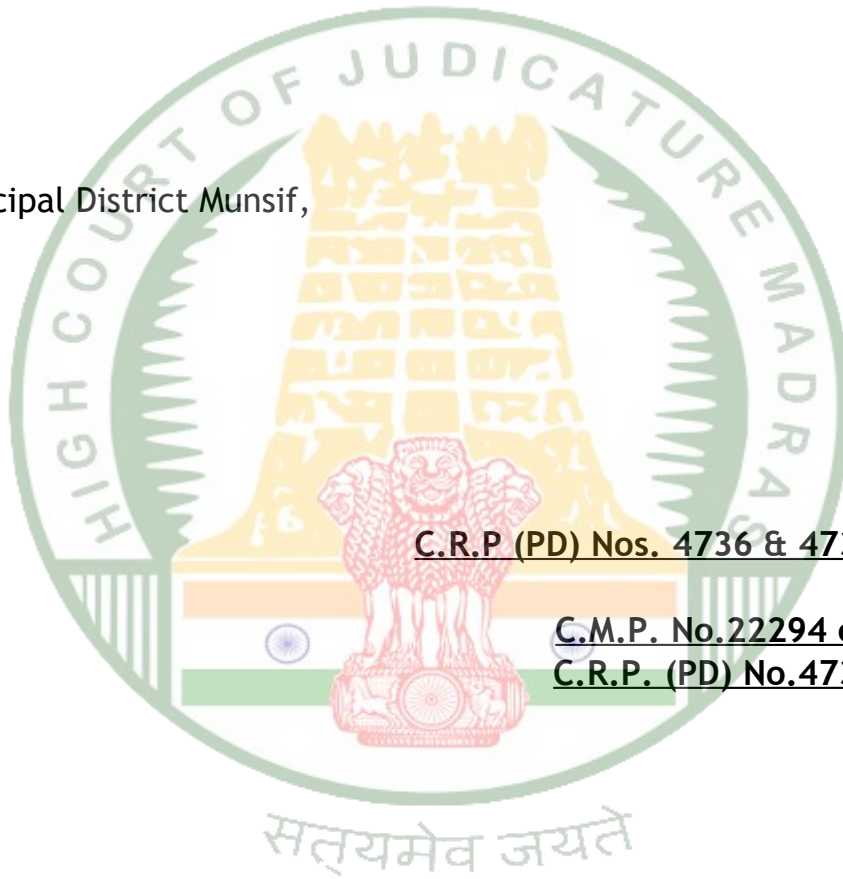
01.03.2018

D. KRISHNAKUMAR J.,

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To

The Principal District Munsif,
Alandur.



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