

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE **D. KRISHNAKUMAR**

CRP(PD).No.541 of 2018
and CMP.No.2888 of 2018

R.Palani

.. Petitioner

Vs

M.Malarkodi

.. Respondent

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India against the rejection of Memo dated 29.01.2018 in OS.No.163 of 2015 on the file of learned Sub-Judge, Vaniyambadi.

For Petitioner : Mr.K.Thiruvengadam

ORDER

According to the revision petitioner, the revision petitioner has filed a memo on 29.01.2018 before the learned Sub-Judge, Vaniyambadi in OS.No.163 of 2015 to examine LW3 and LW4 in the aforesaid suit on behalf of the defendant in the said suit. The court below has directed the Sub-Postmaster, Vaniyambadi to be examined as a witness in the aforesaid suit. But the revision petitioner has not chosen to examine the aforesaid Sub-Postmaster. Therefore, the court below has closed the evidence of LW3 and LW4. Against the said

rejection of memo dated 29.01.2018, the revision petitioner has filed the present Civil Revision Petition before this Court.

2. At the time of hearing, the learned counsel for the revision petitioner seeks this Court that the revision petitioner may be permitted to examine the Sub-Postmaster, Vaniyambadi in the aforesaid suit as directed by the court below.

3. In view of the submissions made by the learned counsel for the revision petitioner, this Court is not inclined to interfere with the order passed by the court below. However, liberty is granted to the revision petitioner to file an appropriate application before the court below to examine the Sub-Postmaster, Vaniyambadi as a witness in the aforesaid suit.

4. The Civil Revision Petition is disposed of with above observations. Consequently, the connected miscellaneous petition is closed. No costs.

16.02.2018

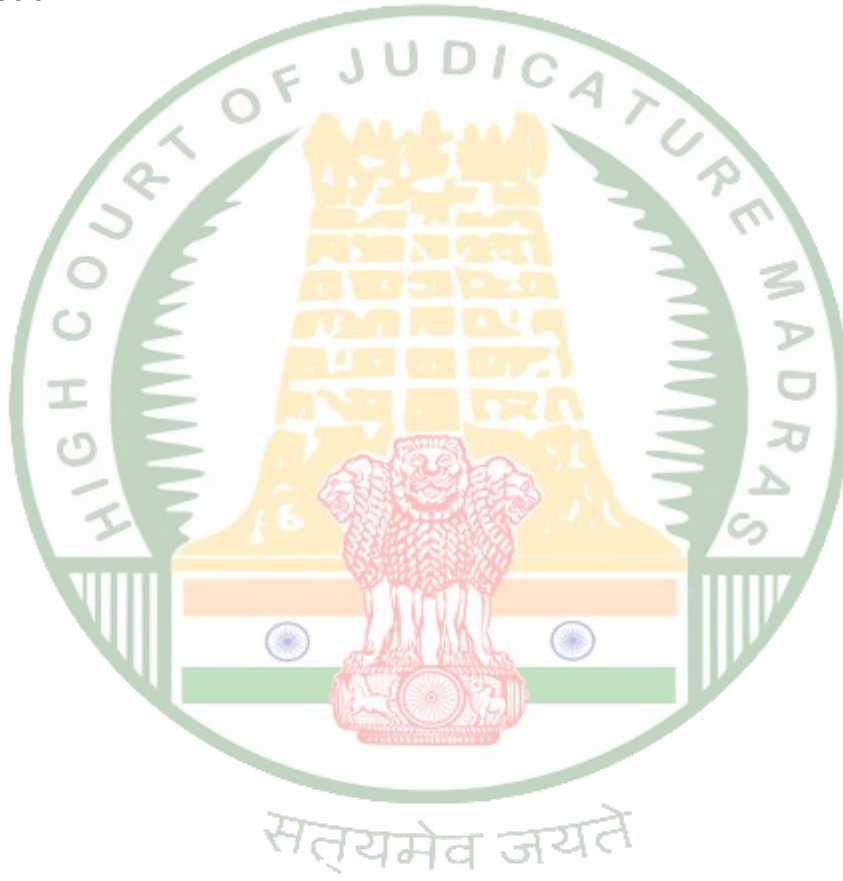
Speaking/Non-Speaking order

Index :Yes/No

Internet:Yes/No

To

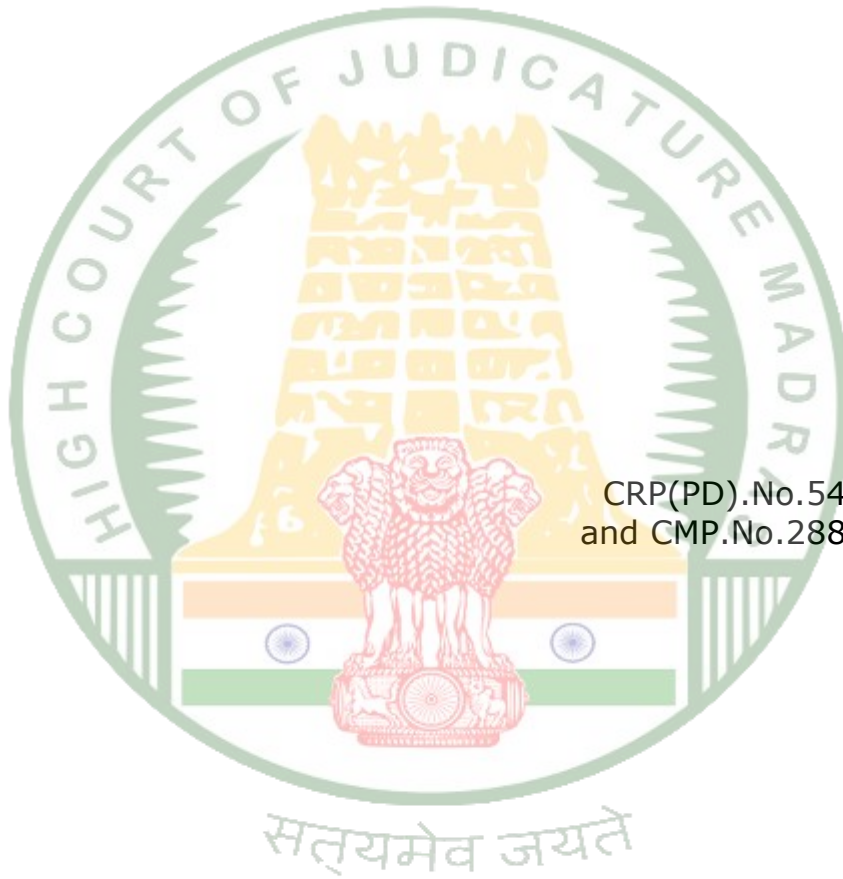
The learned Sub-Judge,
Vaniyambadi.



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D. KRISHNAKUMAR J.,

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