

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 22ND DAY OF JUNE, 2018

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

A. No.4985 of 2017

in

C.S.373 of 2012

C.S. No.373 of 2017:

Dr.G.Srinivasan
10,Parvathy Flats,
47, South Usmn Road,
T.Ngar, Chennai - 600 017. ...Plaintiff

Vs.

1 M/s.Voltamp Transformers Limited,
No.8, 17th Avenue, Harrington Road,
Chetpet, Chennai-600 031.

2 M/S.Apt Samriddhi Engineering Consultants,
426/3, Basant Bahar, Model Colony,
Behind Govt.Polytechnic College,
Chatushringi Road, Pune - 411 016.

3 M/s.Pv Technologies India Limited,
OZ-2, OZ-3, OZ-4
Hi-Techsez, Sipcot Industrial Park-3,
Oragadam, Sriperumbudur Taluk,
Kancheepuram District. ...Defendants

A. No.4985 of 2017:

Dr.G.Srinivasan
10,Parvathy Flats,
47, South Usmn Road,
T.Ngar, Chennai - 600 017. ...Applicant/Plaintiff

Vs.

1 M/s.Voltamp Transformers Limited,
No.8, 17th Avenue, Harrington Road,
Chetpet, Chennai-600 031.

2 M/S.Apt Samriddhi Engineering Consultants,
426/3, Basant Bahar, Model Colony,
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 OZ-2, OZ-3, OZ-4
 Hi-Techsez, Sipcot Industrial Park-3,
 Oragadam, Sriperumbudur Taluk,
 Kancheepuram District. ...Respondents/Defendants

Application praying that this Hon'ble Court be pleased to set aside the order dated 27.06.2017 made in the Review application D.No.13196/2017 in CS.373/2012.

This Application coming on this day before this court for hearing and the court made the following order:

Mr.Srinivasan, party-in-person, has appeared before this Court and under the pretext of arguments, despite provocation, this Court heard him for some time and from his submissions, this Court found that he has not made out any case for reviewing the detailed judgment passed by this Court in C.S.No.373 of 2014.

2. In an earlier occasion, an application to review the judgment passed by this Court has been filed.

3. In the review application, the applicant has challenged the very decree and judgement passed by this Court and it is not the case of the applicant that the new and old materials were discovered and the evidence, was not within his knowledge or could not be produced by him at the time when the decree was passed. Hence, the review application was dismissed as not maintainable on 26.07.2017 holding that there is no apparent error on the face of the judgment to review the judgement.

4. However, at his request, the matter was again posted for hearing and disposal in his presence. Today, the party-in-person is present. Without making any submissions on law, the party-in-person made statement which is nothing but contemptuous in nature and in fact, utter disrespect to the majesty of the institution, in the eye of law.

5. The statement made by the party in person is nothing but a clear case of contempt. This Court, despite the fact that the act of the applicant is contemptuous and a clear case of contempt, do not propose to proceed against him considering his age. This Court is of the view that having failed in the suit seeking various relief's, the applicant has, for the second time, has come before this Court to review the judgement which was passed after full trial. Even during the arguments, the party-in-person has filed an affidavit to the effect that the judgement is flawed. His entire arguments are nothing but falsehood and not based on law and facts. This Court do not find any materials in his submission or Review Application to come to conclusion that there is error apparent on the face of the record.

6. Further it is not the case of the applicant that new and important matter or evidence now available could not be considered by the Court at the time of delivering judgement in Civil Suit after elaborate trial. The

applicant now seeks to rewrite the entire judgement passed in Civil Suit No.373 of 2014 in his favour on mere surmises and conjunctions, without filing any appeal challenging the detailed judgement. This Court found that the review application is nothing but abuse of process of law.

7. In view of the above, this application is dismissed.

Sd./- N.S.K.J

22.06.2018

//Certified to be true copy//

Dated at Madras this the day of 2018.

COURT OFFICER (O.S.)

GJM/07.08.2018

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