

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

C.R.P.(PD) Nos.3055 & 2309 of 2018

and

C.M.P.Nos. 17715 & 14400 of 2018

1. Selvaraj
2. Thirumurugan
3. Thangadurai
4. Mariappan
5. Sivakumar
6. Palanisami
7. Kuppusami
8. Elumalai
9. Arapulli
10. Chinnapaiyan
11. Kali goundar
12. Sanjeev Ghandhi
13. Thangarasu
14. Maharajan
15. Duraisami
16. Kannan

...Petitioners in both C.R.Ps

Vs.

1. Sampooranam
2. P.Ganesh

..Respondents in both C.R.Ps

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India, praying to set aside the Fair and Final Order dated 28.06.2018 and 22.03.2018 made in I.A.Nos.310 & 107 of 2018 in O.S.No.44 of 2018 on the file of the District Munsif Cum Judicial Magistrate, Vazhaapadi, Salem.

For Petitioners
in both C.R.P's : Mr.K.S.Karthik Raja

For Respondents
in both C.R.P's :Mr.V.Ragunathan

COMMON ORDER

Aggrieved against the order rejecting the petitioners' request filed under Rule 76 of Civil Rules of Practice seeking for marking of two documents, namely the proceedings of the RDO dated 14.03.2015 and the F.I.R in Cr.No.710 of 2014 dated 08.12.2014, the present Civil Revision Petitions are filed.

2. Today, when the matter is called, it is brought to the notice of this Court that after the rejection order dated 22.03.2018, the F.I.R dated 08.12.2014 and peace committee report dated 14.03.2015 have already been marked in evidence as Ex.B1 and Ex.B.2.

3.The learned counsel for the petitioners submitted that in I.A.No.107 of 2018, the petitioners made a specific request for production of

the statements of villagers before the peace committee conducted by the Revenue Divisional Officer and as such the statements are vital for the purpose of establishing the case. According to the learned counsel for the petitioners, the respondent herein had admitted that the dead bodies could be taken through the plaintiffs' wet lands and for that purpose, he requires such documents.

4. The learned counsel for the respondents, on the other hand, filed counter statement and submitted that since the report and the FIR has already been marked in evidence, the said statements are only sought for, for the purpose of delaying the proceedings.

5. The report of the Revenue Divisional Officer is dated 14.03.2015, consequent to the statement of the villagers. When the report itself has been produced before the Court, the petitioners herein can elucidate and establish his case based on the report, which is made pursuant to the recording of the statements of the villagers. As such, directing to produce the statements may not be warranted.

6. In view of the fact that the report of the Revenue Divisional Officer and the FIR have already been produced before the Court, I find no reasons

to permit the statements of the villagers to be produced before the trial Court. Hence, no interference is required in this petition.

7. With the above observations, the Civil Revision Petitions stand closed. Consequently, connected Miscellaneous Petitions are closed. No costs.

12.11.2018

Index: Yes/No
Internet: Yes/No
dh

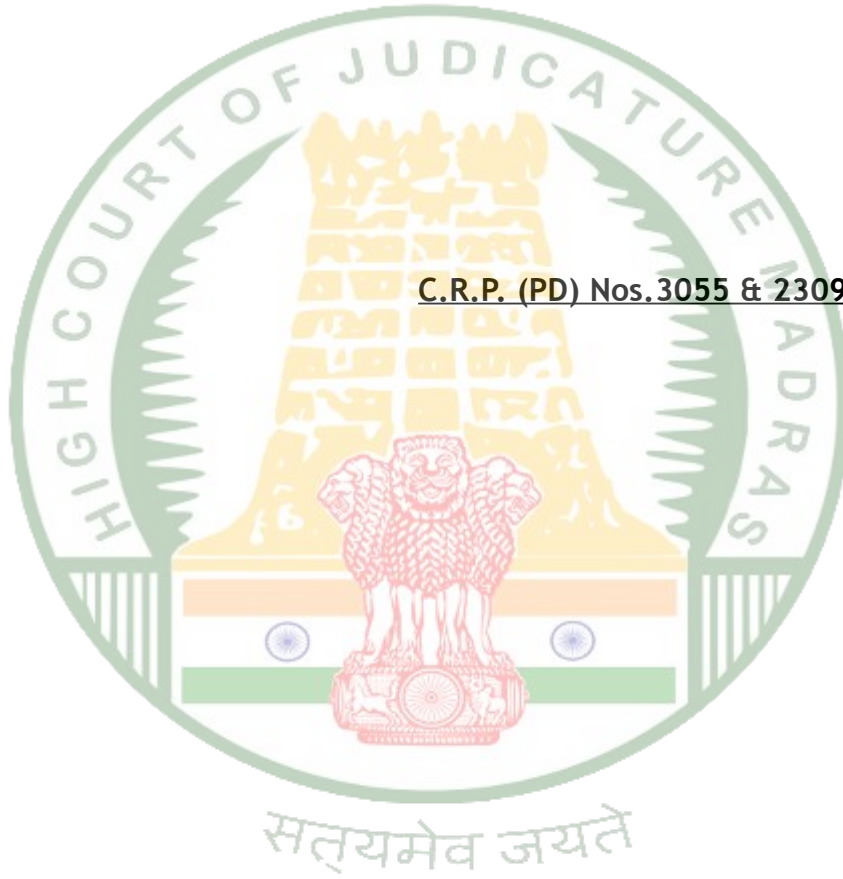
To
The District Munsif Cum
Judicial Magistrate,
Vazhaapadi, Salem.



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M.S.RAMESH. J.,

dh



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