

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 30.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

C.R.P. (PD) No. 3817 of 2018

and

C.M.P. No. 21212 of 2018

Kalairasi

...Petitioner

Vs

Selvi

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order and decreetal order dated 27.08.2018 passed in I.A.No.836 of 2017 in O.S.No.952 of 2012 by the learned Additional District Munsif, Alandur and allow the Civil Revision Petition.

For Petitioner : Mr.M.Rajendran

ORDER

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The reasoning assigned by the Court below for rejecting the defendant's request to recall P.W.1 does not suffer from any infirmity in the opinion of this Court. The trial Court had observed the various opportunities given to the defendant to cross examine P.W.1.

M.S.RAMESH.,J

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2. It is also seen that the petitioner had earlier filed an application under Order 18 Rule 17 of CPC to cross examine P.W.1, which came to be allowed on 28.09.2016. Thereafter, several opportunities were given to the defendant to cross examine P.W.1, which is almost for one year. Even then, the petitioner has not chosen to cross examine P.W.1. As such, the finding of the trial Court that the petitioner is trying to drag on the proceedings, may be correct.

3. In the result, I do not find any infirmity in the order passed by the Court below. Hence, the Civil Revision Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

सत्यमेव जयते

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Index:Yes/No

Speaking order: Yes/No

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