



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2018

WEB COPY

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**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

C.R.P. (MD) Nos.1799 and 1800 of 2017 (PD)  
and  
C.M.P. (MD) .Nos.9597 and 9598 of 2017

Ajay Kumar .. Petitioner in both the petitions /  
Petitioner / 8<sup>th</sup> defendant

Vs.

1.Muthulakshmi

2.Sivagamasundari

3.Tamil Selvi .. Respondents 1 to 3 in both the  
petitions / Respondents 1 to 3 / Plaintiffs

4.Kalpana

5.Kalaiselvi

6.Santhi

7.Sivasankar

8.Jayalakshmi

9.Maheswaran

10.Balakumara @ Raju ... Respondents 4 to 10 in both the  
petitions/Respondents 4 to 10/  
Defendants 1 to 7

**COMMON PRAYER:** Petitions filed under Article 227 of the  
Constitution of India, against the order dated 29.06.2017, passed  
in I.A.Nos.602 and 619 of 2017 respectively in O.S.No.127 of 2011  
by the learned 6<sup>th</sup> Additional District Judge, Madurai.



For Petitioner in both  
the petitions

: Mr.A.Joseph Jerry

For 1<sup>st</sup> respondent in  
both the petitions

: Mr.R.Rengarajan

For respondents 2 & 3 in  
both the petitions

: Mr.C.Sundara Vadivel

For respondents Nos.4, 5,  
8, 9 & 10 in both the petitions : No appearance

For 6<sup>th</sup> respondent in  
C.R.P.(MD).No.1799/2017

: Mr.L.Siva

For 7<sup>th</sup> respondent in  
C.R.P.(MD).No.1799/2017

: Mr.T.Antony Arul Raj

For respondents 6 & 7 in  
C.R.P.(MD).No.1800/2017

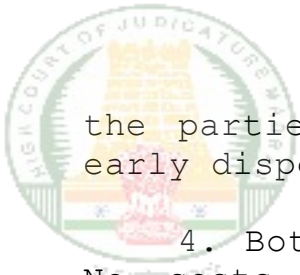
: No appearance

### **COMMON ORDER**

Both the civil revision petitions have been filed by the revision petitioner / 8<sup>th</sup> defendant, challenging the order dated 29.06.2017 passed in I.A.No.602 and 619 of 2017 in O.S.No.127 of 2011, whereby and where under the Court below has dismissed the petition filed by the revision petitioner / 8<sup>th</sup> defendant to reopen and recall the witnesses of the plaintiffs and the 1<sup>st</sup> defendant for cross examination.

2. When the matter came up for hearing, the learned counsel appearing for the respondents fairly submitted that the respondents have no objection in allowing both the civil revision petitions and permitting the revision petitioner / 8<sup>th</sup> defendant from cross examining the witnesses on their side. However, the Court below may be directed to dispose of the suit within a stipulated period. The said submission is recorded. The learned counsel for the petitioner also fairly conceded to the request of the respondents.

3. Considering the facts and circumstances of the case and also considering the submissions of the learned counsel for both sides, the orders impugned in these petitions are set aside and both interlocutory applications are allowed. The Court below is directed to conduct the case on day-to-day basis and complete the same as expeditiously as possible, preferably within a period of three months from the date of receipt of copy of this order. Both



the parties are directed to cooperate with the trial Court for early disposal.

4. Both the civil revision petitions are accordingly allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

The 6<sup>th</sup> Additional District Judge,  
Madurai.

Copy to:-

The Record Keeper,  
VR Section,  
Madurai Bench of Madras High Court,  
Madurai- 23. (2 copies)

+ 4 ccs TO Mr.K.Rajangam , Advocate in SR Nos. 53069,53070

gcg

VB/RSK/SAR2/20.03.2018/3P/8C

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