



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2018

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WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (MD) Nos.2335 and 2336 of 2017

Chidambaram

... Petitioner in both C.R.Ps.,

vs

1.M.Mohmed Ismail

2.M.Sheik Mohammad Seyad Ali

... Respondents in both C.R.Ps.,

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India, to call for the records in order in I.A.Nos.39 and 40 of 2017 in I.P.No.5 of 2014 pending before the Additional District Judge, Tenkasi dated 05.07.2017 and set aside the same.

For Petitioner

in both C.R.Ps.,

: Mr.G.Vairam Santhosh

For Respondents

in both C.R.Ps.,

: Mr.P.Ganapathi Subramanian

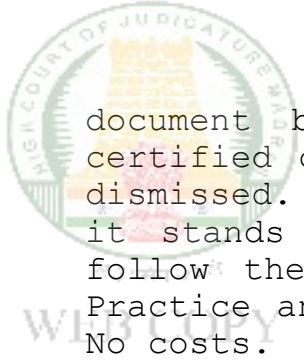
COMMON ORDER

The petitioner herein filed I.P.No.5 of 2014 before the Additional District Judge, Tenkasi for declaring the respondents as insolvents. In the said I.P., I.A.Nos.39 and 40 of 2017 were filed to send for two documents. The Court below by the impugned order dismissed the same. Challenging the order of dismissal, these civil revision petitions have been filed.

2.Heard the learned counsel on either side.

3.As rightly pointed out by the learned counsel appearing for the contesting respondents, by placing reliance decision reported in **2012 (2) MWN (Civil) 588 (V.Murugaiyan and others Vs. A.Kanakasabapathi Thevar and another)**, the Court can order summons for production of documents only if it is satisfied that the application for certified copy was duly made and that the same was

4.In this case, the petitioner herein has not produced any



document before the Court below to show that he applied for certified copy. Therefore, I.A.Nos.39 and 40 of 2017 were rightly dismissed. There is no merit in these civil revision petitions and it stands dismissed. However, the petitioner is at liberty to follow the procedure set out in Rule 75 (3) of Civil Rules of Practice and move the Court below again for relief in this regard. No costs.

Sd/-
Joint Registrar (Judicial)

/True Copy/

Sub Assistant Registrar (CS-I)

To

The Additional District Judge,
Tenkasi.

+ 1 CC TO Mr.G.V.VAIRAM SANTHOSH, ADVOCATE IN SR No. 84820
+ 1 CC TO Mr.P.GANAPATHI SUBRAMANIAN , ADVOCATE IN SR No. 84835

MM

TE/VB/RSK/SAR-1 : 22/10/2018 : 2P/4C

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