



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2018

CORAM

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (MD) No. 409 of 2017 and
C.M.P. (MD) No. 2046 of 2017

1. Kartharinal
2. Hariharasuthan

... Petitioners/Petitioners/
Plaintiffs

Vs.

1. Subbammal
2. Packiam
3. Sheilarani

... Respondents/Respondents/
Defendants

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records relating to the fair and decreetal order passed in I.A.No.138 of 2016 in O.S.No.187 of 2012, dated 06.10.2016 on the file of the District Munsif cum Judicial Magistrate Court, Boothapandi and set aside the same by allowing this Civil Revision petition.

For Petitioners : Mr.G.Thalaimutharasu

For R-3 : Mr.V.George Raja,
for Mr.P.Murugan.

For R-1 & R-2 : No appearance.

O R D E R

The plaintiffs in O.S.No.187 of 2012 on the file of the District Munsif cum Judicial Magistrate, Boothapandi, are the Revision petitioners herein. It is a suit for declaration and permanent injunction. The plaintiffs' side was closed as early as on 12.02.2015. After the defendants' side was also closed, the matter was posted for arguments. At that stage, the present Interlocutory application was filed for reopening and for examining the attestors of a Will. Absolutely no reason has been set out as to why they were not examined earlier. The affidavit filed in support of I.A.No.138 of 2016 is totally bald.

2.The Court below rightly dismissed the said Interlocutory application. No case has been made out for interfering with the said order. There is no merit in this Civil Revision petition.



3. This Civil Revision petition stands dismissed, accordingly.
No costs. Consequently, connected Miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS-III)

To

The District Munsif cum Judicial Magistrate,
Boothapandi.

+1cc to Mr.R.Murugan, Advocate, Sr.No.87827.

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pmu

RAM-KK/RSK/SAR 3/06.12.2018/2P/3C