



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2018

CORAM

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHANC.R.P(PD) (MD) No.697 of 2017
and C.M.P. (MD) No.3136 of 20171.R.Ramar
2.Duraisamy

... Revision Petitioners/Petitioners

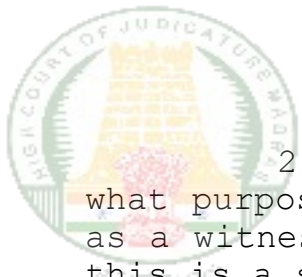
-Vs-1.Kamukula Okkaliga Emnavarugala Kodyappan
Kumbu Thayathikal Arakattalai,
Rep. by its President,
Narayanasamy,
S/o. Pommaia Gounder,
Surulipatti,
Uthamapalayam Taluk,
Theni District.2.Kamukula Okkaliga Emmenavarugula Kodyappan
Kumbu Thayathikal Arakattalai
Rep by its Secretary,
R.S.Durairaj,
S/o. Sannasi Gounder,
Lakshmi Bhavan,
Melachinthalaicheri Main Road,
Uthamapalayam Taluk,
Theni District.

.. Respondents/Respondents

Prayer: Civil Revision Petition is filed under Article 227 of Constitution of India against the fair order and decretal order dated 14.02.2017 made in I.A.No.24 of 2017 in O.S.No.1 of 2015 on the file of the District Munsif Court, Theni.

For Petitioners : Mr.S.Siva Thilakar
For Respondents : Mr.R.Suriyanarayanan**O R D E R**

The defendants in O.S.No.1 of 2015 on the file of the District Munsif Court, Theni, are the revision petitioners herein. It is a suit for recovery of possession. In the said suit, the revision petitioners filed I.A.No.24 of 2017 for summoning the local Revenue Divisional Officer to be examined as their witness. The court below by order impugned in this Civil Revision Petition dismissed the said Interlocutory application.



2. This Court is unable to appreciate as to why and for what purpose, the said Revenue Divisional Officer is to be examined as a witness on the side of the defendants. As already pointed out, this is a suit for recovery of possession. This suit will be decreed or dismissed based on the evidence available before it. By examining the Revenue Divisional Officer, neither the case of the revision petition will be strengthened nor the case of the plaintiff weakened. I find no merit in this Civil Revision Petition and the same is dismissed. No costs. Consequently, C.M.P(MD) No.3136 of 2017 is closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-I)

To

The District Munsif, Theni.

+ 1 CC TO Mr.S.SIVA THILAKAR, ADVOCATE IN SR No. 91344

+ 1 CC TO Mr.R.SURIYANARAYANAN, ADVOCATE IN SR No. 91484

CM

TE/PM/SAR-1 : 12/12/2018 : 2P/4C

C.R.P(PD) (MD) No.697 of 2017
and C.M.P.(MD)No.3136 of 2017
23.10.2018