



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2018

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) (PD) No.2443 of 2016

and

C.M.P. (MD) No.11534 of 2016

1.Anisha
2.S.M.Samufathima
3.M.K.S.Chithirapiekker
4.S.M.Ummuhalitha
(Petitioners through their General Power Agent,
MAS.Kamaludeen) ...Petitioners / Petitioners / Defendants 9-12

/Vs./

1.Sankarapandiyan ...1st Respondent / 1st Respondent / Plaintiff
2.Shunmugathammal
3.Murugan
4.Janaki Ammal
5.Ganapathy Ammal
6.Rathi Priya
7.Sankarapandiyan
8.P.S.Ramesh
9.C.Jeyaraj ...Respondents 2-9 / Respondents 2-9 /
Defendants 1 to 8

[R-2 to R-9 are set exparte before the trial Court, Hence they are not necessary parties.]

Prayer: Civil Revision Petition - filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 07.10.2016 made in I.A.No.417 of 2016 in O.S.No.279 of 2010 on the file of the Principal Subordinate Judge, Tirunelveli.

For Petitioner : Mr.A.Arumugam
for M/s.Ajmal Associates
For R-1 : Mr.S.P.Maharajan
For R2 to R9 : Exparte vide Court Order dated 23.01.2017

ORDER

The revision petitioners are the defendants 9 to 12 in O.S.No.279 of 2010 on the file of the Principal Subordinate Judge, Tirunelveli. The revision petitioners wanted to recall P.W.1 on the ground that he was not cross-examined. The Court below has observed that P.W.1 was cross-examined at length and elaborately and the very basis on which I.A.No.417 of 2016 is predicated is not correct.

<https://hcservices.ecourts.gov.in/hcservices/>

2. In this view of the matter, this Court does not propose to



interfere with the order passed by the Court below. Accordingly, the civil revision petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/

Assistant Registrar(AS)

/True copy/

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Sub Assistant Registrar(CS-III)

To

The Principal Subordinate Judge, Tirunelveli.

+1cc to Mr.S.P.MAHARAJAN,Advocate, SR.No. 83228

+1cc to M/S.AJMAL ASSOCIATES, Advocate, SR.No.83469

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SM

KK/SV/SAR-3/22.10.2018/2P-4C