



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

C.R.P(MD) (PD) .Nos.363, 364 and 365 of 2016
and
C.M.P(MD) .Nos.1555 to 1557 of 2016

K.Rahavan ... Petitioner in all petitions

Vs.

Anitha Rosely ... Respondent in all petitions

PRAYER: Petition filed under Article 227 of the Constitution of India, to call for the records pursuant to the order passed in I.A.Nos.1381, 1382 and 1383 of 2015 in O.S.No.278 of 2011 dated 12.01.2016 on the file of the Additional District Munsif, Padmanabapuram to set aside the same.

(In all petitions)

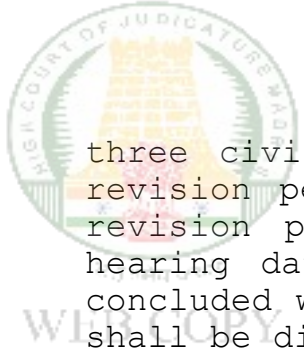
For Petitioner	: Mr.K.Sudalaiyandi
For Respondent	: Mr.N.S.Ramakrishna Dass

O R D E R

The respondent herein filed O.S.No.278 of 2011 on the file of the District Munsif Court, Padmanabapuram seeking the relief of permanent injunction and for payment of damages. In the said suit, the revision petitioner filed I.A.Nos.1381 to 1383 of 2015 for re-opening his side evidence and for re-calling himself and for reception of 9 documents. The Court below dismissed the said interlocutory applications on the ground that the suit was already included in the special list. It is also seen that the revision petitioner have been filing successive applications. The revision petitioner had obtained leave in this regard as early as March 2015, but then he failed to avail the opportunity given to him.

2.Considering the belated nature of the application filed by the revision petitioner, the Court below took the stand that they deserve dismissal.

3.After hearing the counsel on either side, this Court is of the view that the revision petitioner can be given one final opportunity. In this view of the matter, orders impugned in these



three civil revision petitions are set aside and all these civil revision petitions are allowed. The Court below shall permit the revision petitioner to mark the aforesaid documents on the next hearing date. Thereafter, the arguments of either side shall be concluded within a period of two weeks thereafter. The entire suit shall be disposed of within two months from the date of receipt of a copy of this order.

4. With these directions, these Civil Revision Petitions are allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Additional District Munsif,
Padmanabapuram.
2. The Record Keeper,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO Mr.K.SUDALAIYANDI, ADVOCATE IN SR No. 80242
+ 1 CC TO Mr.N.S.RAMAKRISHNA DASS, ADVOCATE IN SR No. 80925

RMK

TE/RSK/SAR-2 : 20/09/2018 : 2P/6C

C.R.P (MD) (PD) .Nos.363, 364 and 365 of 2016 and
C.M.P (MD) .Nos.1555 to 1557 of 2016
27.08.2018