



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.10.2018
CORAM
THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD) No.1593 of 2018
and C.M.P.(MD)No.6959 of 2018

S.Kaliyaperumal ...Petitioner/Petitioner/13th Defendant

-Vs-

V.Sathyakeerthi Rep.by
his power agent,
Nanchi Varadharajan ... Respondent/Respondent/Plaintiff

Prayer: Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the fair and decreetal order dated 26.06.2018 passed in I.A.No.83 of 2018 in O.S.No.3 of 2010 on the file of the 2nd Additional District and Sessions Judge, Thanjavur.

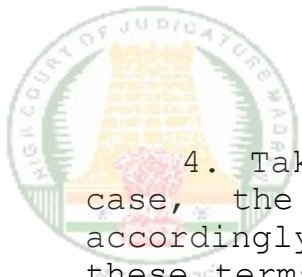
For Petitioner : Mr.M.P.Senthil
For Respondent : Mr.K.Rajeswaran

ORDER

The 13th defendant in O.S.No.3 of 2010 on the file of the II Additional District and Sessions Court, Thanjavur, is the revision petitioner herein. The suit was filed by the respondent herein seeking the relief of declaration and permanent injunction and also mandatory injunction. In the said suit, the 13th defendant wants to examine the Village Administrative Officer for the purpose of marking certain documents. The court below by order dated 26.06.2018 dismissed the said Interlocutory Application. Questioning the same, this Civil Revision Petition has been filed.

2. Heard the learned counsel appearing on either side.

3. This Court is of the view that for marking revenue records, there cannot be any objection. The apprehension of the contesting respondent herein is in the guise of examining the Village Administrative Officer, the proceedings will be definitely dragged on. It is pointed out that there is a direction issued by this Court that the suit proceedings shall be concluded within a period of three months. In order to undermine the effect of the said direction, the revision petitioner is taking out the application is the complaint of the respondent. That is why. this Court permits the revision petitioner herein to mark the revenue records that are not in dispute through himself. For the purpose of marking the revenue records, there is no need to examine the Village Administrative Officer.



4. Taking into account the special direction obtained in this case, the order impugned in this Civil Revision Petition is accordingly modified. This Civil Revision Petition is allowed on these terms. This Court reminds the court below that the suit will have to be disposed of as soon as possible in view of the earlier direction given by this Court. No costs. Consequently, connected C.M.P. (MD) No.6959 of 2018 is closed.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar (CS-III)

To

The 2nd Additional District and Sessions Judge,
Thanjavur.

+1CC to Mr.M.P.Senthil, Advocate, SR.No.88784

+1CC to Mr.K.Rajeswaran, Advocate, SR.No.88985

C.R.P. (MD) No.1593 of 2018
and C.M.P. (MD) No.6959 of 2018
04.10.2018

CM

ES/PM/SAR 3/01.11.2018/2P/4C