



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.10.2018
CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) .No.1733 of 2018 and
C.M.P. (MD) No.7483 of 2018

G.Krishna Moorthy

... Petitioner/Petitioner/
6th Defendant

Vs.

M.Balasundararaj

... Respondent/Respondent/
Plaintiff

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order passed in I.A.No.256 of 2018 in O.S.No.78 of 2011 on the file of the District Munsif cum Judicial Magistrate Court, Sivagiri and also pass appropriate orders.

For Petitioner : Mr.R.Kannan

For Respondent : Mr.D.Balamuruga Pandi

ORDER

O.S.No.78 of 2011 on the file of the District Munsif, Sivagiri, was filed by the respondent herein. It is a suit for permanent injunction. In the said suit, the Revision petitioner herein filed I.A.No.256 of 2018 for reopening his side. This was because, even without the Revision petitioner who is the 6th defendant in the suit adducing evidence, the defendants' side got closed.

2. Therefore, I am of the view that the Revision petitioner deserves to be given one more opportunity. In this view of the matter, the order impugned in this Civil Revision petition is set aside. The Civil Revision petition stands allowed, accordingly.

3. The suit is of the year 2011. Therefore, the Court below shall dispose of O.S.No.78 of 2011 on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/



To

The District Munsif cum Judicial Magistrate,
Sivagiri.

+1CC to Mr.D.Balamuruga Pandi, Advocate, SR.No.89254

+1CC to Mr.P.Muthusamy, Advocate, SR.No.89379

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PMU

ES/SKN/RSK/SAR 1/10.10.2018/2P/4C