



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) Nos.1799 and 1800 of 2018

and

C.M.P. (MD).No.7871 of 2018

K.Pitchaimuthu

... Petitioner/Petitioner/Plaintiff  
in both petitions

/Vs./

1.Pandian  
2.Satheesh  
3.Sundaram  
4.Raju  
5.Raman  
6.Vasu  
7.Perumal  
8.Palanisamy Gounder  
9.Karuppanna Gounder

... Respondents/Respondents/Defendants  
in both petitions

PRAYER: These Civil Revision Petitions are filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order, dated 13.06.2018 passed in I.A.No.650 and 651 of 2016 in O.S.No.191 of 2011 on the file of the Principal District Munsif Court, Karur.

For Petitioner : Mr.M.P.Senthil.  
(in both petitions)

**COMMON ORDER**

The plaintiff is the revision petitioner. He filed O.S.No.191 of 2011 on the file of the Principal District Munsif, Karur, seeking the reliefs of declaration, mandatory injunction and permanent injunction. In the said suit the plaintiff filed I.A.Nos.650 and 651 of 2016 for reopening the case to examine public officials. The case of the plaintiff in the said interlocutory application is that the contesting defendants had admitted that they had damaged the pipeline in question and that they also paid a sum of Rs.7,500/- before the police authorities and that they had conceded the case before the revenue authority. Therefore, he wanted to mark those documents through the aforesaid public authorities namely the Inspector of Police and Tahsildar and hence, filed the above said applications. But the said applications were dismissed by order, dated 13.06.2018. Questioning the same, these Civil Revision Petitions have been filed.



3.I am of the view that the Court below has given convincing reasons for dismissing the said applications. The Court below has pointed out that the trial of this case has been completed as early as on 19.08.2014 and that the matter was posted for arguments on 25.08.2014. At that stage, the plaintiff filed similar applications in I.A.No.404 and 405 of 2015. The said applications were dismissed for certain technical reasons. Thereafter, the present applications were filed. The Court below has rightly observed that these applications have been filed only to drag on the proceedings.

4.I am of the view that the plaintiff must substantiate his case by independent witness and that the statement said to have been made by the defendants before the police authorities and the revenue authorities cannot really aid his case. It is quite possible that some incident occurred leading to police intervention and the police in order to ensure law and order prevailed upon the opposite parties to pay some amount as compensation. The Court below is justified in dismissing the applications in question. The reasons given by the court below are sound. There is no merit in these petitions.

5.Accordingly, these Civil Revision Petitions stands dismissed and No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Principal District Munsif, Karur.

2.The Section Officer, V.R.Section,  
Madurai Bench of Madras High Court,  
Madurai. **(2 copies)**

+1CC to Mr.M.P.Senthil, Advocate, SR.No.79647

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