



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) (PD) No.1895 of 2018

and

C.M.P. (MD) No.8220 of 2018

T.Savithiri

...Petitioner/Petitioner/ 1st

Defendant

Vs.

M.V.P.Mariappan

...Respondent/ Respondent/
Plaintiff

Prayer: Civil Revision Petition - filed under Article 227 of the Constitution of India, to set aside the order dated 19.07.2018 made in I.A.No.298 of 2018 in O.S.No.358 of 2012 on the file of the Sub Court, Tuticorin and allow this civil revision petition.

For Petitioner: Mr.R.Vijayakumar

ORDER

The revision petitioner is the first defendant in O.S.No.358 of 2012 on the file of the Sub Court, Tuticorin. It is a money suit laid on the strength of a pro-note. The revision petitioner disputed her signature in the pro-note. Therefore, the burden to prove the execution of the pro-note lies entirely on the plaintiff. That apart, as rightly observed by the Court below, the suit is of the year 2012. This application has been taken out only in the year 2018. It is obviously a belated one. Therefore, this Court affirms the reasons given by the Court below and the order impugned in this civil revision petition is confirmed. Accordingly, the civil revision petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (CRL-SIDE)

// True Copy //



To

1. The Sub Court,
Tuticorin.

2. The Record Keeper, Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO MR.R.VIJAYAKUMAR , ADVOCATE IN SR NO. 82076

SM

BU/RP/SAR-III : 10.10.2018 : 2P/5C

Order made in
C.R.P. (MD) (PD) No.1895 of 2018
03.09.2018