



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2018

CORAM:

THE HONOURABLE MRS.JUSTICE S. RAMATHILAGAM

CRP(MD).No.506 of 2011 and
M.P(MD).No.1 of 2011

R.Mangappa Konar : Petitioner

Vs.

1.Renga Konar
2.Thangavelu
3.Rasu Konar
4.Govinda Konar
5.Veerappa Konar
6.Ramavel
7.Rengasamy
8.Durai Murugan
9.Nallaiah

: Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order passed in I.A.No.682 of 2010 dated 23.09.2010 in O.S.No.469 of 2004 on the file of the learned District Munsif Court, Pudukkottai.

For petitioner : No appearance

For Respondents : No appearance

ORDER

This Civil Revision Petition has been preferred against the order passed in I.A.No.682 of 2010 dated 23.09.2010 in O.S.No.469 of 2004 on the file of the learned District Munsif Court, Pudukkottai, which was filed by the defendants for recalling the witnesses PW.3 and PW.4 for further examination.

2. On perusal of the records, it reveals that the plaintiff side evidence was closed on 18.12.2007 and subsequently, the Commissioner was appointed and his report and plan were filed before the trial Court and defendants side were also examined. Thereafter, when the matter was posted for arguments, the defendants filed a petition for recalling the plaintiff side witnesses for further cross examination and reopening the case.

3. The trial Court observed the facts and other details placed before it and has given a finding that sufficient time was given to the defendants to file documents and the documents were also marked on 30.04.1999 and hence, at this stage, it is not necessary to cross-examine the plaintiff side witnesses to prove the



documents filed on the side of the defendants. Hence, the trial Court has dismissed the petition, against which, the petitioner has preferred the present revision petition and pending revision, he has also obtained an order of interim stay.

4. It is seen that when the suit before the trial Court was in the concluding stage, in order to delay the proceedings, the petitioner has filed the present revision and obtained an order of interim stay. However, he has not proceeded to conduct the Civil Revision Petition, which was filed in the year 2011.

5. In view of the non representation of the petitioner and also the pendency of the case before the trial Court from the year 2004, this Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(W)

/True copy/

Sub Assistant Registrar

To

The District Munsif Court, Pudukkottai.

CRP(MD) .No.506 of 2011 and
M.P(MD) .No.1 of 2011
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TRP

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