

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

C.R.P. (PD) No.1639 of 2009 &

M.P.No.1 of 2009

Pastor Justin Christopher

.. Petitioner

Vs.

1. Kirubasanam Churt of Christ
represented by its President
Sathu C.Dasiah

2. Pastor R.K.Christophers – President

3. Pastor T.R.Sam – Secretary

4. Pastor Subash Rathinam – Treasurer

5. Pastor Samuel – Committee Member

6. Pastor Ezra – Committee Member

(Respondents 2 to 8 substituted vide Order of this Court
dated 14.09.2018 made in CMP.No.1570 of 2018 in
CRP.No.1639 of 2009)

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Order dated 21.04.2009 made in I.A.No.2672 of 2009 in O.S.No.860 of 2008 on the file of the IV Assistant City Civil Court, Chennai.

For Petitioner : Mr.V.Shanmugam

For Respondents : No appearance

ORDER

This revision has been filed as against the dismissal of the application filed by the revision petitioner for reception of additional documents and the trial Court has dismissed the application by holding that the documents are no way useful to decide the issue.

2. It is to be noted that such approach of the trial Court is unwarranted at this stage. It is now well settled that the documents can be received in evidence subject to proof and admissibility and proof and relevancy can be decided only at the time of final stage of the trial and shutting the right of the parties is not according to law. Hence, this Court is of the view that the Order of the trial Court is required to be interfered and the same is liable to be set aside.

3. Accordingly, this Civil Revision Petition is allowed and the Order of the trial Court is set aside and the trial Court shall dispose of the suit expeditiously within 4 months from the date of receipt of a copy of this Order. Consequently, the connected miscellaneous petition is closed. No cost.

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14.02.2019

vrc

To

The IV Assistant Judge,
City Civil Court,
Chennai.



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N.SATHISH KUMAR, J.

vrc



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