

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRP PD NO.3352 of 2013 and
M.P.No.1 of 2013

1. Kaliasammal
2. P.Mani ... Revision Petitioners

Vs.

Adisesan Benefit Fund Limited,
Mullai Nagar, A.S.Pettai,
Namakkal Town and District.
by its Managing Director,
Thangavel, S/o Marappa Gounder,
d.No.1B, Kolandan Street, A.S.Pettai,
Namakkal Town and District. ... Respondent

Prayer: Civil Revision Petition filed under Section 227 of the Constitution of India against the orders dated 19.03.2013 passed by the Subordinate Judge, Namakkal in I.A.No.91 of 2013 in O.S.No.434 of 2002.

For Revision Petitioners : Mr.C.D.Johnson

For Respondent : Mr.T.Dhanyakumar

ORDER

Revision petition filed against orders passed by the trial court allowing the application to file a document namely notice as Ex.A3 in the suit.

2. The revision petitioners are the defendants in the original suit. While the suit was posted for defendants side witness, the petitioners filed applications to re-open the case and recall the PW1 to mark a notice as exhibit. The trial court allowed the said applications. Against which this revision petition has been filed.

3. Heard the learned counsel for the petitioners as well as the learned counsel for the respondent.

4. It is to be noted that mere marking of documents will not amount to proof of the document, which is subject matter of evidence. Therefore, one cannot contend that mere exhibiting the document on the side of one party will prejudice the other party. If the petitioner has any serious objection, he can very well bring it to the notice of the court and request the court concerned to decide the admissibility of such document. The court can also decide such objection at the time of disposal of the suit. Hence, this court does

not find any illegality or infirmity on the orders passed by the trial

court.

5. In the result,

(i) The Civil Revision Petition is dismissed. No costs.

(ii) The fair and decreetal order of the trial court are upheld.

(iii) The trial court is directed to dispose the suit within four months from the date of receipt of a copy of this order.

14.02.2019

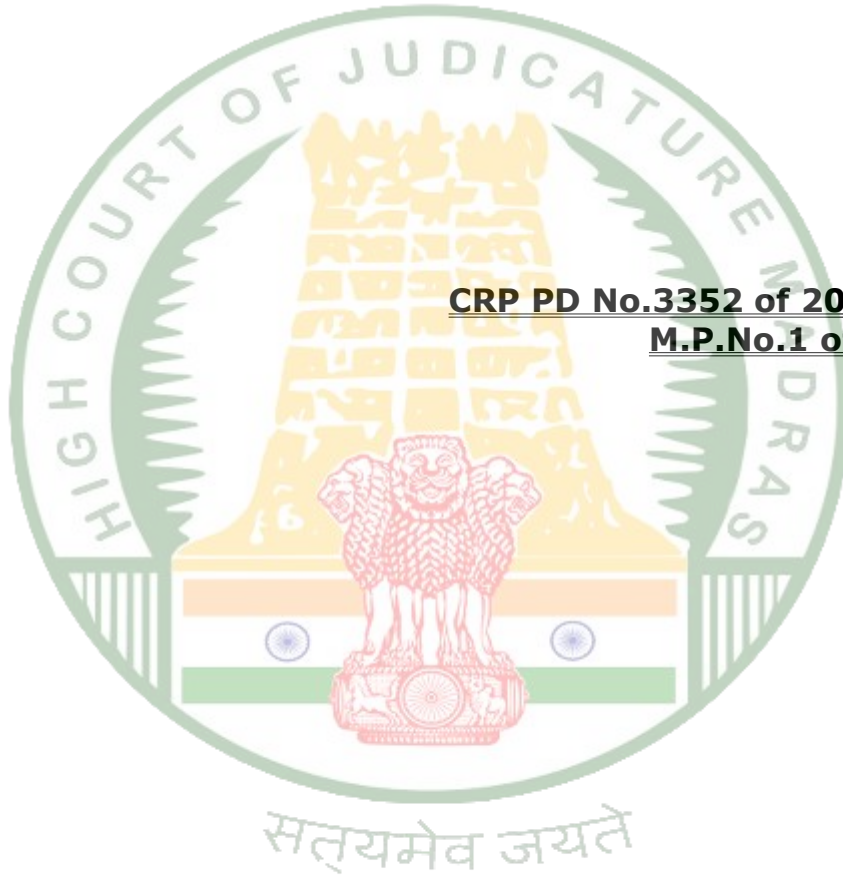
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To
1. The Subordinate Judge, Namakkal.

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N.SATHISHKUMAR, J.
mst



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