

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25.03.2019

Coram:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

C.R.P.(PD)Nos.3790 and 3791 of 2013
and M.P.Nos.1 and 1 of 2013

Prabhakaran (died)
 1.Minor Manojkumar
 2.Uthiramani
 3.Kavitha

..

Petitioners
 [in both C.R.Ps]

versus

A.M.Veeraraju

..

Respondent
 [in both C.R.Ps]

COMMON PRAYER: Civil Revision Petitions have been filed under Article 227 of the Constitution of India, against the orders dated 08.06.2013 made in I.A.No.246 & 247 of 2013 in O.S.No.63 of 2007 on the file of the learned Sub Judge, Mettur.

For Petitioners : Mr.P.Mani
 [in both C.R.Ps]

For Respondent : Mr.A.Sundaravadhanam
 [in both C.R.Ps]

COMMON ORDER

These Civil Revision Petitions have been filed against the orders dated 08.06.2013 made in I.A.No.246 & 247 of 2013 in O.S.No.63 of 2007 on the file of the learned Sub Judge, Mettur, in allowing the applications filed by the plaintiff to mark deposition of the defendants recorded in the criminal case.

2. Now, it appears that those depositions are already marked in the trial Court. In view of the same, no further adjudication is required in these cases. However, the trial Court has to note while disposing of the suit take into consideration of the legal position as to whether the statement of living person is admissible.

3. The learned counsel appearing for the respondent submitted that one of the witnesses died and that is also to be decided by the trial Court taking into account at the time of marking deposition, he was very much alive. Hence, these Civil Revision Petitions are disposed of and the trial Court is directed to dispose of the suit within a period of two months from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petitions are closed. No costs.

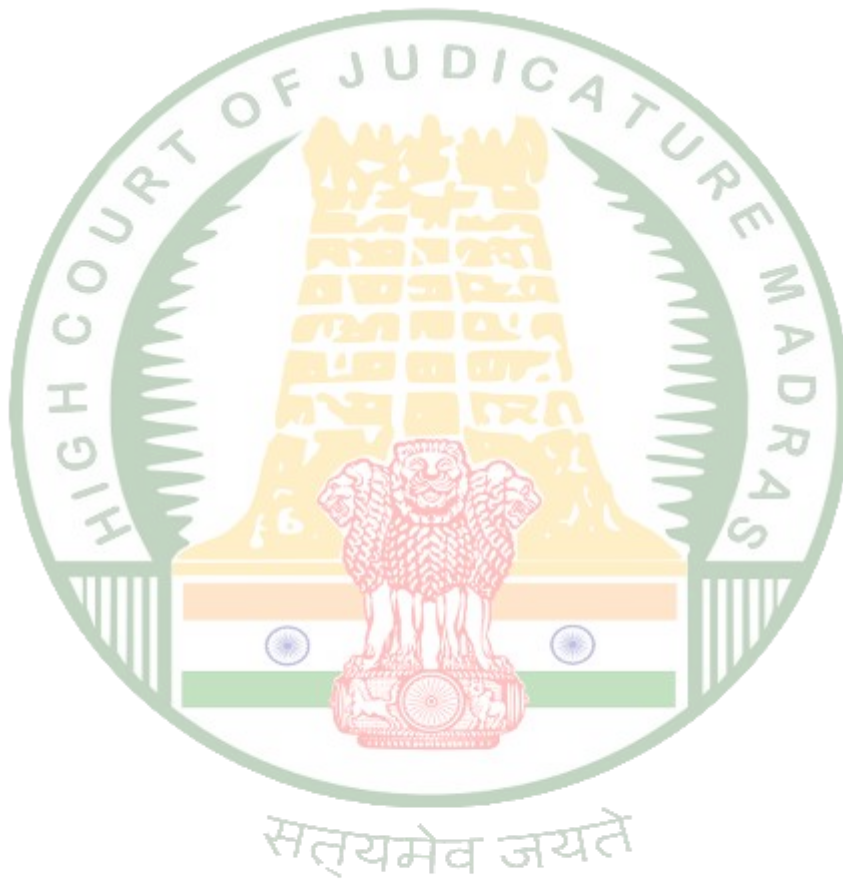
25.03.2019

Speaking Order/Non Speaking Order
Index : Yes / No
Internet : Yes

sri

To

The Sub Judge,
Mettur.



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N.SATHISH KUMAR, J.,
sri



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