

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2019

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(PD)Nos.3869 to 3871 of 2013&
M.P. Nos.1 of 2013 (3 MPs)

C.R.Kannan

... Petitioner in all CRPs

v.

V.K.Suresh

... Respondent in C.R.P.No.3869/2013

V.K.Ramprasad

... Respondent in C.R.P.No.3870/2013

V.K.Sridhar

... Respondent in C.R.P.No.3871/2013

C.R.P.(PD)No.3869/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, against the order dated 07.08.2013 passed in I.A.No.6127 of 2013 in O.S.No.6701 of 1996 on the file of the VIII Assistant Judge, City Civil Court, Chennai.

C.R.P.(PD)No.3870/2013 : Civil Revision Petition filed under Article 227

of the Constitution of India, against the order dated 07.08.2013 passed in I.A.No.6128 of 2013 in O.S.No.6923 of 1996 on the file of the VIII Assistant Judge, City Civil Court, Chennai.

C.R.P.(PD)No.3869/2013 : Civil Revision Petition filed under Article 227 of the Constitution of India, against the order dated 07.08.2013 passed in I.A.No.6129 of 2013 in O.S.No.6924 of 1996 on the file of the VIII Assistant Judge, City Civil Court, Chennai.

For Petitioner : Mr.V.Baskaran (in all CRPs)

For Respondent : Mr.M.Chinna Thambi (in all CRPs)
for Mr.N.Premkumar

COMMON ORDER

Challenging the fair and final orders passed in I.A.Nos. 6127 to 6129 of 2013 in O.S.Nos.6701, 6923 and 6924 of 1996 on the file of the VIII Assistant Judge, City Civil Court, Chennai, the plaintiff has filed the above Civil Revision Petitions.

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2. Before the Trial Court, the 1st defendant filed the above applications to examine his father, viz., V.R.Kushaldoss, as a common witness D.W.1 before the 1st defendant being examined in the suits.

After contest, the Trial Court, allowed all the applications. As against that the plaintiff has filed the above applications.

3. When the Civil Revision Petitions are taken up for hearing, the learned counsel appearing for the revision petitioner submitted that the relief sought for in the applications in I.A.Nos. 6127 to 6129 of 2013 have become infructuous for the reason that the 1st defendant's father, viz., V.R.Kushaldoss had died and therefore, the said witness cannot be examined as D.W.1 before the examination of the 1st defendant at the time of trial. The learned counsel further submitted that since the relief sought in the applications have become infructuous, nothing survives for adjudication in the Civil Revision Petitions.

4. The learned counsel appearing for the respondents also submitted that the relief sought for in the Civil Revision Petitions have become infructuous.

5. Having regard to the submissions made by the learned counsel one either side, the Civil Revision Petitions are dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions

are closed.

24.04.2019

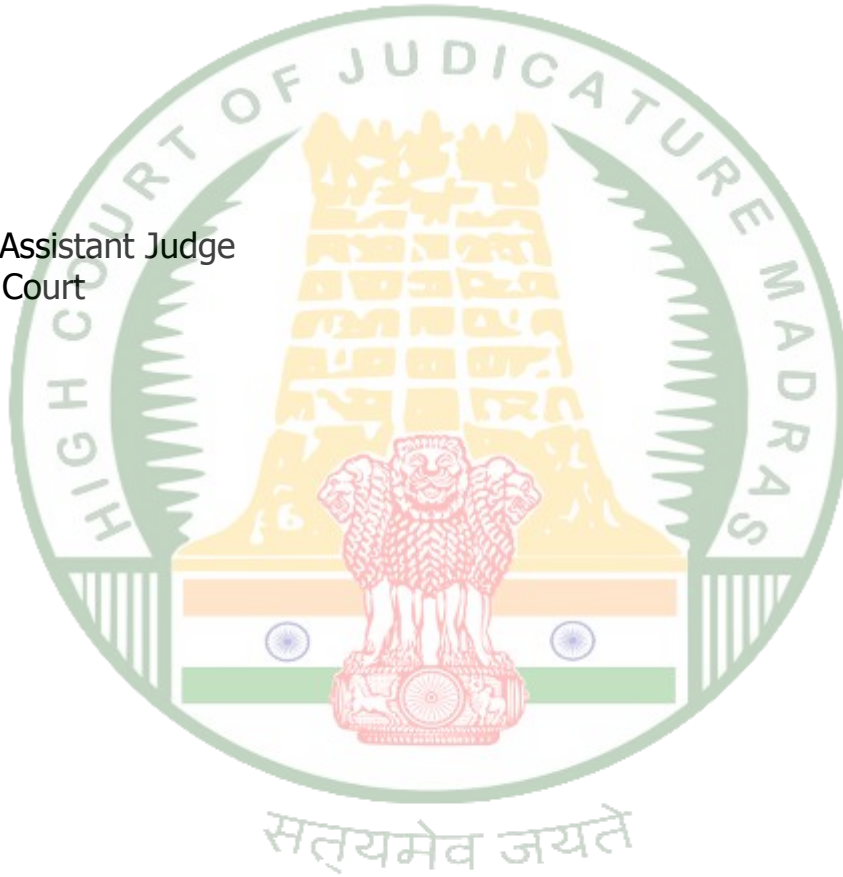
Index : Yes/No

Speaking Order/Non Speaking Order

Rj

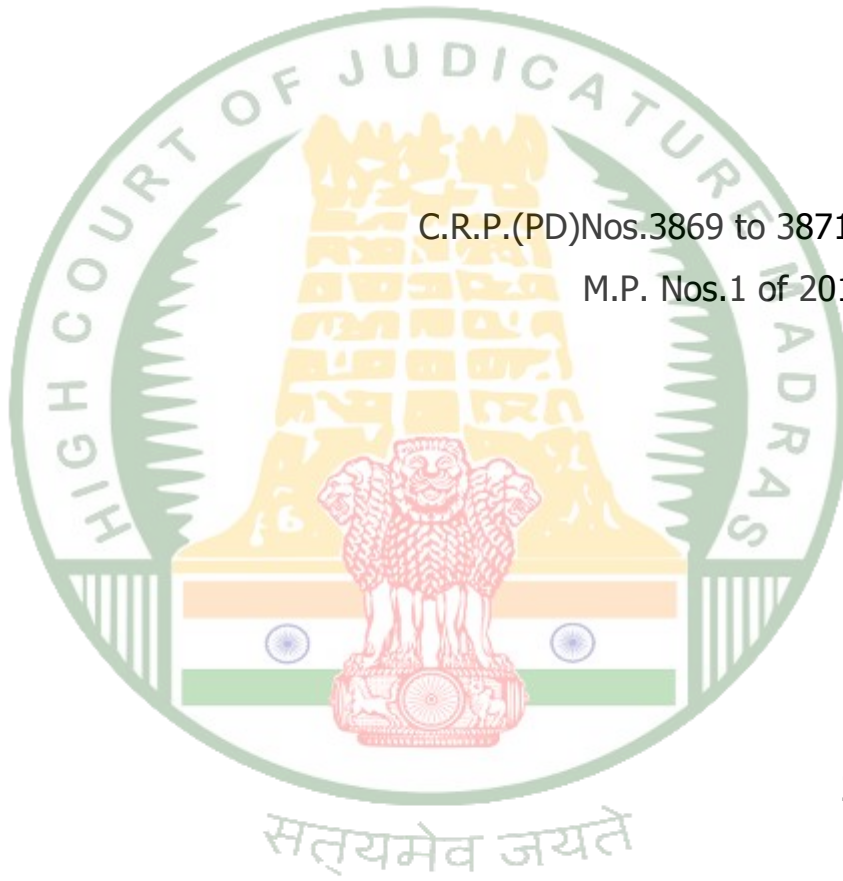
To

The VIII Assistant Judge
City Civil Court
Chennai.



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M. DURAISWAMY,J.,



C.R.P.(PD)Nos.3869 to 3871 of 2013 &
M.P. Nos.1 of 2013 (3 MPs)

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