

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.04.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P(PD)No.1261 of 2019

and

CMP.No.8228 of 2019

N.S.Deenadayalan @ N.S.Kutty

... Petitioner

-vs-

V. Neelambal

... Respondent

Prayer: Petitions under Article 227 of the Constitution of India praying to set aside fair and decretal order dated 07.09.2018 and made in I.A.No.4168 of 2018 in O.S.No.6360 of 2013 on the file of the XIV Assistant, City Civil Judge, Chennai full Additional charge of the XVIII Assistant, City Civil Court, Chennai.

For Petitioner : Mr. B.Sivakumar

ORDER

The above Civil Revision Petition is filed seeking issue of subpoena to the Managing Director, Indian Overseas Bank to produce the sale deeds dated 27.09.1965 and 11.03.2004 which are said to be pledged with the bank. The said application has been dismissed by the

P.T. ASHA, J.,

mrn

learned XIV Assistant, City Civil Court, Chennai, challenging the same, the revision petitioner/defendant is before this Court. As rightly pointed out by the learned Judge, the two certified copies of the sale deeds can be obtained by the revision petitioner and there is no necessity for summoning the bank officials to produce the original documents and adduce evidence. When there is an easy alternative remedy that is available to the revision petitioner, I find no infirmity in the order passed by the XIV Assistant, City Civil Judge, Chennai. Accordingly, Civil Revision Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

03.04.2019

Index : Yes/No

Internet : Yes/No

Speaking/non-speaking order

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To

1. The XIV Assistant, City Civil Judge,
Chennai.2. The XVIII Assistant, City Civil Court,
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