

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.03.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(P.D).No.1013 of 2019

and

CMP.No.6700 of 2019

Rajesh

... Petitioner

-VS-

1. Malathi
2. Saranya
3. Soumiya
4. Kalpana

... Respondents

Prayer: Petition under Article 227 of the Constitution of India praying to set aside the fair and decretal order dated 10.01.2019 made in I.A.No.52 of 2017 in O.S.No.244 of 2014 on the file of the learned District Munsif Court, Gobichettipalayam by allowing this Civil Revision Petition.

For Petitioner : Mr. N. Manoharan

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ORDER

The above Civil Revision Petition is filed challenging the order of the District Munsif, Gobichettipalayam in I.A.No.52 of 2017 in

O.S.No.244 of 2014 which was an Application that was filed for directing the plaintiffs to produce the documents listed in the Petition.

2. The facts in brief culminating in the filing of the said I.A. before the learned District Munsif, Gobichettipalayam are as follows:

The respondents had filed O.S.No.244 of 2014 seeking to declare themselves and the first defendant as the legal heirs of deceased Mr.Armugam and for a mandatory injunction to defendants 2 and 3 to issue certificate that the plaintiffs and the first defendant are legal heirs of late Mr. Armugam. When the suit was pending, the first defendant who is the revision petitioner herein, had taken out an application in I.A.No.396 of 2015 for direction to the defendants to produce certified documents, which was dismissed by the Court below by order dated 13.08.2016. Seeking an identical prayer, the present I.A.No.52 of 2017 has been filed and the learned District Munsif, Gobichattipalayam has dismissed the same. Challenging the said order, the revision petitioner/ 1st defendant is before this Court.

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3. Heard Mr.N.Manoharan, learned counsel for the revision petitioner. From the records, it is clearly evident that the very same revision petitioner had filed an application for the identical relief and the same has been dismissed by order dated 13.08.2016. A few

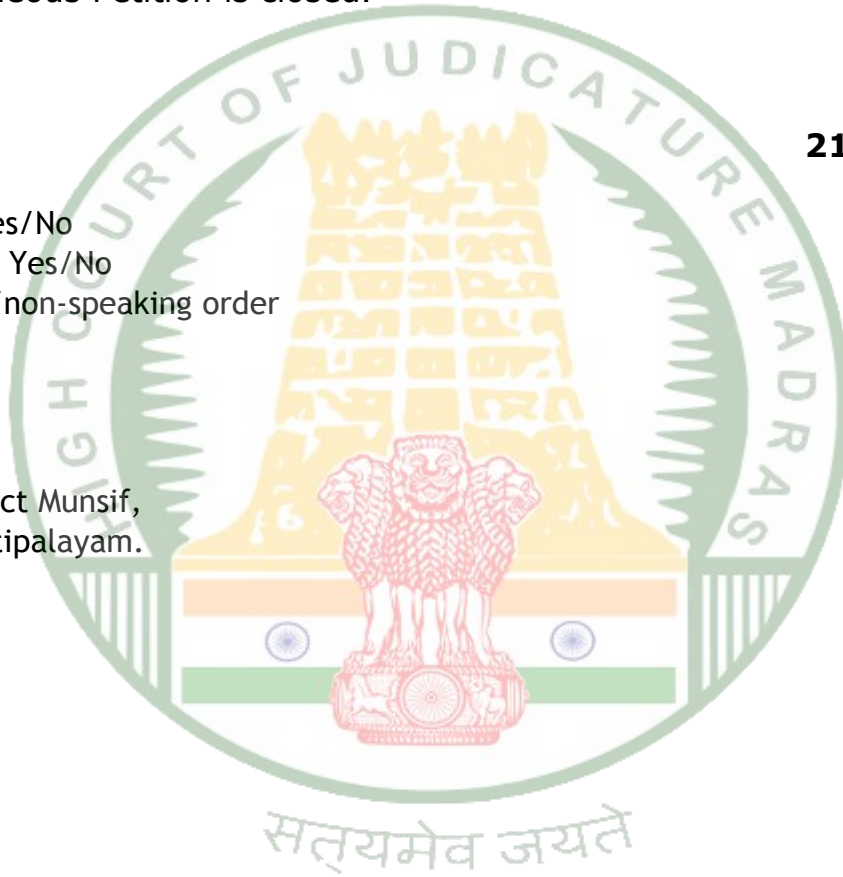
months later, a similar relief has been prayed for by way of fresh Application and the same cannot be granted. The learned District Munsif has rightly dismissed the said Application and accordingly, the Civil Revision Petition stands dismissed. Consequently connected Miscellaneous Petition is closed.

21.03.2019

Index : Yes/No
Internet : Yes/No
Speaking/non-speaking order

mrn

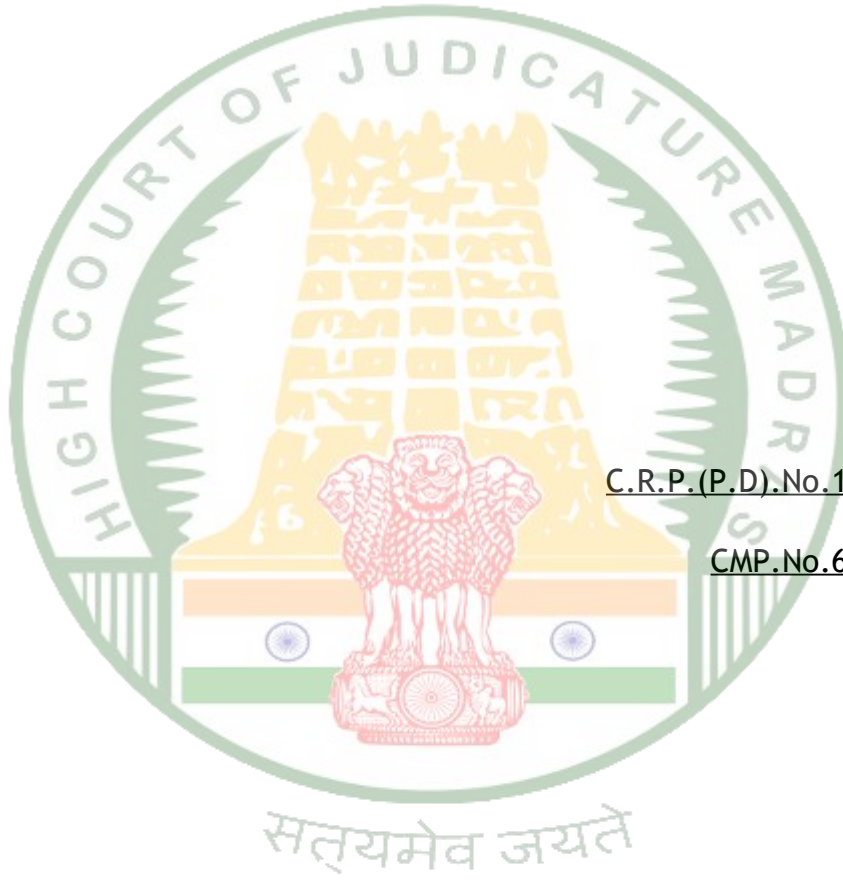
To
The District Munsif,
Gobichettipalayam.



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P.T. ASHA, J.,

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