

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2019

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

Civil Revision Petition (PD) No.3241 of 2019
and C.M.P.No.21113 of 2019

S.Asokan

... Petitioner

-Vs-

1.V.Jeyalakshmi

2.S.Vellingiri

3.M/s.Sri Selvaganapathi Engineering Works
rep.by its Proprietor Selvaraj, Kottur Road
Suleswaranpatti, Pollachi - 642 006.

3.Sri Krishna Auto Service

Rep.by its Proprietor S.Manikandan
Kottur Road, Suleswaranpatti,
Pollachi-642 006.

... Respondents

Prayer : Civil Revision Petition under Article 227 of the Constitution of India against the fair and decreetal order dated 13.08.2019 made in I.A.No.02/2019 in O.S.No.615 of 2012 on the file of I Additional District Court, Coimbatore.

For Petitioners

: Mr.S.Mukunth

ORDER

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This revision petition has been filed against the fair and decreetal order dated 13.08.2019 made in I.A.No.02/2019 in O.S.No.615 of 2012 on the file of I

Additional District Court, Coimbatore.

2. Before the trial Court, the plaintiff filed the application in I.A.No.02 of 2019 in O.S.No.615 of 2012 under Section 151 of C.P.C., where he sought for summoning the Special Officer of Suleswaranpatti Panchayat, to depose before the Court in order to establish the case that no property tax was collected for the suit property, as such information has already been given to the petitioner / plaintiff by the said Panchayat under the R.T.I.Act. The said application, having been heard, was dismissed by the lower Court, as against which the present revision has been filed.

3. Heard Mr.S.Mukunth, learned counsel appearing for the petitioner and perused the materials placed before this Court.

4. After having gone through the same, this Court is of the view that there is no merit in this revision, and there is no necessity to interfere with the order passed by the trial Court, the reason being, if at all the petitioner / plaintiff wants to produce the documents obtained from the Panchayat under the R.T.I.Act, the same can be filed before the Court and it is for the Court to accept it or not with evidentiary value in the manner known to law, and the Special Officer of the said Panchayat Union need not be summoned before the trial Court.

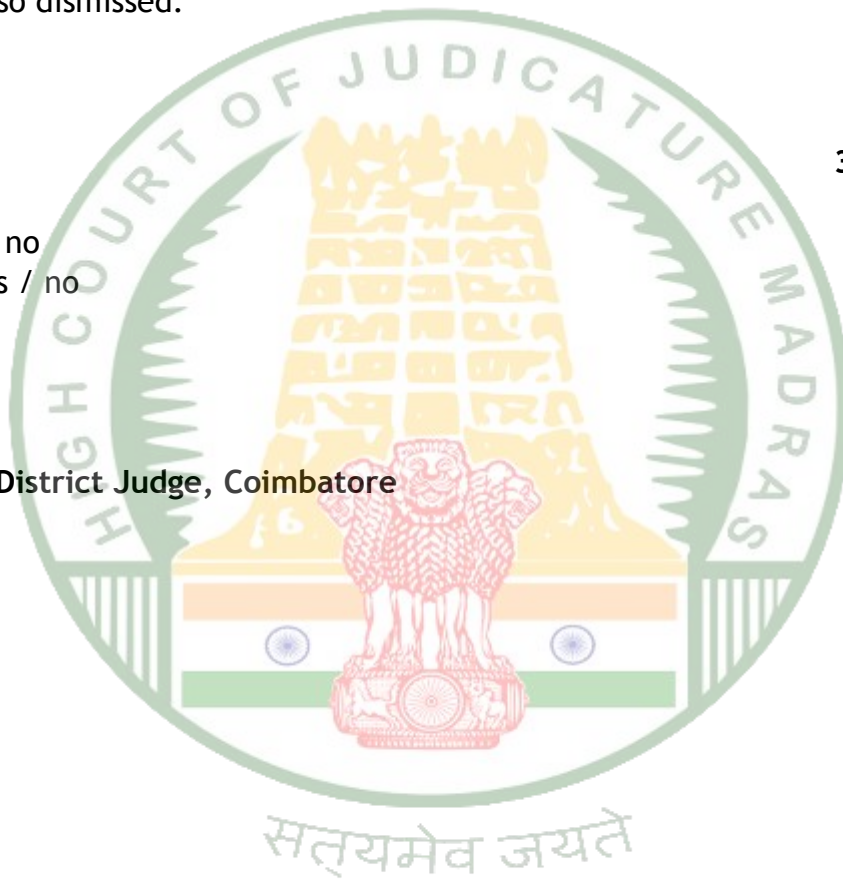
5. For the reasons stated above, the impugned order passed by the trial Court is sustainable and accordingly, this revision fails and the same is dismissed with the above observation. No costs. Consequently, connected miscellaneous petition is also dismissed.

30-09-2019

Index : yes / no
Internet : yes / no
KST

To

I Additional District Judge, Coimbatore



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C.R.P.(PD) No.3241 of 2019

R. SURESH KUMAR, J.

KST



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