

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2019

CORAM:

THE HONOURABLE Mr. JUSTICE R. SURESH KUMAR

C.R.P. (PD) No. 3352 of 2019

1. Pooranam
2. Jayamosus Rajan
3. Chandrabai Rajam
4. Kepsibai Rajam ... Petitioners

-Vs-

A. Senthur Kani ... Respondent

Prayer : Petition filed under Article 227 of the Constitution of India to set aside fair order and decretal order dated 12.09.2019 passed by the learned Subordinate Judge, Mettupalayam, in I.A. No. 4 of 2019 in O.S. No. 162 of 2018.

For Petitioners : Mr. B. Hari Krishnan

ORDER

This Civil Revision Petition has been filed against the fair and decretal order made in I.A. No. 4 of 2019 in O.S. No. 162 of 2018 on the

file of the learned Subordinate Judge, Mettupalayam, by order dated 12.09.2019.

2. Similarly C.R.P. No. 3309 of 2019 was filed by the very same petitioners, which was directed against the order in I.A. No. 3 of 2019 in the very said original suit passed on the same day i.e., on 12.09.2019.

3. I.A. No. 3 of 2019 is for reopening the petitioner's evidence and I.A. No. 4 of 2019 is to recall the defendants evidence.

4. Since the C.R.P. No. 3309 of 2019 directed against the I.A. No.3 of 2019 had been decided on merits and was dismissed on 21.10.2019, this Court feels that the present Civil Revision Petition being the consequential one and as it directed against I.A. No 4 of 2019 which was filed before the Court below to recall the defendants side witness, naturally has to meet the same fate, accordingly this Civil Revision Petition is also dismissed.

5. However, whatever the observations made in C.R.P. No. 3309 of 2019 shall not stand in the way in agitating the issue raised by the revision petitioners on merits before the trial Court.

6. Accordingly, the Civil Revision Petition is dismissed. No costs.

01.11.2019

Index: Yes / No
Speaking order / Non speaking order

vji

To
The learned Subordinate Judge,
Mettupalayam.



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C.R.P. (PD) No. 3352 of 2019

R. SURESH KUMAR, J.

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C.R.P. (PD) No. 3352 of 2019

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