

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2020

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

Civil Revision Petition(NPD) No. 1135 of 2009
and
M.P.No.1 of 2009

Kaliyaperumal Chettiar ...Petitioner/defendant

Vs

Farida Begam ... Respondent/Plaintiff

Prayer: Civil Revision Petition filed under Section 115 Cr.P.C. against the judgment and decree dated 21.10.2005 in A.S.No.32 of 2005 on the file of the Subordinate Judge, Panruti reversing the judgment and decree dated 28.03.2005 in O.S.No.313 of 2000 on the file of the District Munsif Court, Panruti.

For Petitioner : Mr. V. Paul Das

For Respondents : No appearance

ORDER

Though the matter is pending from the year 2009, after lapse of 11 years, it is came up for Admission.

2. The learned counsel for the petitioner would submit that there is no instruction from the petitioner.

3. From a careful reading of the records, it could be seen that the respondent herein has filed a suit in O.S.No.313 of 2020 on the file of the District Munsif Court, Panruti, for recovery of money and the trial Court by a judgment and decree dated 28.03.2005 dismissed the suit. Challenging the said judgment and decree, the respondent/plaintiff has filed an appeal in A.S.No. 32 of 2005 before the Sub-Court, Panruti. The learned Subordinate Judge, after hearing the arguments, by a judgment dated 21.10.2005, allowed the appeal and directed the petitioner to pay a sum of Rs.15,000/- with 6 % interest. Challenging the same, the defendant has filed the present

revision before this Court. The First Appellate Court as fact finding Court has re-appreciated the entire evidence and decreed the suit. Therefore, this Court does not find any perversity in appreciation of evidence and there is no arguable point to admit the revision and the revision is liable to be dismissed at the admission stage itself.

4. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mrp
To

1. The Subordinate Judge, Panruti.
2. The District Munsif Panruti.

Copy to:

The Section Officer,
V.R. Section, High Court, Madras

C.R.P. No.1135 of 2009

sal(co)
aa11/01/2021

सत्यमेव जयते

WEB COPY