

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P.(PD).No.2868 of 2018

G.Meganathan

...Petitioner

Vs.

Arulmigu Sri Mannarsamy
and Pachaiaammal Koil,
(popularly called as Mannarsamy Temple)
Rep. By its Hereditary Trustee
T.Kuppusamy
Residing at
No.135,, M.S.Koil Street,
Royapuram, Chennai-600 013.

..Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 21.03.2018 passed in I.A.No.2128 of 2018 in O.S.No.412 of 2016 by the learned XV Assistant City Civil Judge, Chennai and allow the Civil Revision Petition.

For Petitioner : No Appearance

For Respondent : Mr.Balasubramaniam

ORDER

The first defendant in the suit in O.S.No.412 of 2016 has filed the present civil revision petition challenging the order dated 21.03.2018 made in I.A.No.2128 of 2018 dismissing the said application filed by him to recall P.W.1 for further cross examination. The trial Court has

dismissed the said application on the ground that despite sufficient opportunities having been extended, the first defendant has not chosen to complete the cross examination of P.W.1.

2 Though none appears for the petitioner, Mr.Balasubramaniam, the learned counsel for the respondent/plaintiff would submit that the plaintiff is ready to allow the petitioner to cross examine the P.W.1. He would further request the Court to fix the time for completion of the cross examination.

3 Considering the concession made by the learned counsel appearing for the respondent/plaintiff, this civil revision petition is allowed. P.W.1 is recalled for further cross examination. The cross examination shall be completed within a period of four weeks from the date of restoration of normal functioning of courts. The trial Court is directed to strictly adhere the time schedule, since the suit is of the year 2016. No costs.

सत्यमेव जयते

21.07.2020

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order

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To

1. The XV Assistant City Civil Judge, Chennai

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

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R.SUBRAMANIAN, J.

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