



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

CRP (MD) .No.765 of 2020

and

C.M.P (MD) .No.5117 of 2020

1.C.Lakshmanan

2.Manivannan

: Revision Petitioners/Appellants/
Respondents/Defendants

Vs.

Ilayaraja

through his power agent & father

C.Azhakar

: Respondent/Respondent/Petitioner/
Plaintiff

PRAYER : Petition is filed under Article 227 of the Constitution of India, to call for the records pertaining to the judgment and decree dated 13.08.2020 passed in C.M.A.No.9 of 2019 on the file of the Sub Court, Devakottai, confirming the fair and decreetal order dated 19.09.2019 passed in I.A.No.261 of 2019 in O.S.No.56 of 2016 on the file of Principal District Munsif cum Judicial Magistrate Court, Karaikudi and set aside the same.

For Petitioner

: Mr.R.Gowrishankar

ORDER

This civil revision petition has been filed to set aside the judgment and decree dated 13.08.2020 passed in C.M.A.No.9 of 2019 on the file of the Sub Court, Devakottai, confirming the fair and decreetal order dated 19.09.2019 passed in I.A.No.261 of 2019 in O.S.No.56 of 2016 on the file of Principal District Munsif cum Judicial Magistrate Court, Karaikudi.

2. Heard the learned counsel on either side.

3.The learned counsel for the revision petitioner submitted that the trial court has wrongly fixed burden on the defendant and it requires to be corrected.

4.Since the matter is pending since 2016, this Court considers it appropriate to direct the trial court to expedite the trial of the case and to dispose of the same on or before 31.03.2021, unfettered or uninfluenced by its reasoning for allowing I.A.No.261 of 2019. The issue on burden of proof is left open in view of the



decision now taken by this Court and the revision petitioner/defendant is permitted to canvass the same before the trial Court.

5. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk/cm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1. The Principal District Munsif-cum
-Judicial Magistrate, Karaikudi.

2. The Sub Judge, Devakottai.

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14.10.2020

smv (CO)

TR(28.10.2020) 2P 3C