

C.R.P.(PD)Nos.3057, 3058,
3727, 3728 & 3729 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2021

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.(PD).Nos.3057, 3058, 3727, 3728 & 3729 of 2009
and M.P.Nos.1 & 1 of 2009

A.Zareena Begum
Rep by its POA
K.Ilavarasu

... Petitioner
in all CRPs.

Vs.

1. Ajith S.Mehta
2. S.K.Amirali Gee @ Tilati Bab
3. N.C.Kadirvelu
4. K.Narayanasamy
5. Mani
6. Veerabadran
7. Paragushan
8. Bhaskar
9. Pakiri
10. S.Balaji
11. G. Malliga
12. M.A.Jayalakshami
13. B.Radha
14. Fathima
15. S.Mohammed Salik
16. A.Ramesh
17. Murshida

18. Tamildau Housing Board
Rep by its Chairman,
Anna Salai, Chennai-35.
19. Dr.V.P.Varadarajan

... Respondents
in all CRPs.

Common Prayer :- These Civil Revision Petitions are filed under Article 227 of the Constitution of India, to set aside the fair and decretal orders dated 02.09.2009 passed in I.A.Nos.15679, 15680, 15677, 15678 & 15681 of 2009 respectively in O.S.No.7049 of 2009 by the learned VI Assistant City Civil Judge, Chennai.

For Petitioner in
all CRPs : Mr.Ramesh Ramachandran
For Respondents
in all CRPs : Mr.V.G.Suresh Kumar

COMMON ORDER

These Civil Revision Petitions are directed as against the fair and decretal order dated 02.09.2009 passed in I.A.Nos.15679, 15680, 15677, 15678 & 15681 of 2009 respectively in O.S.No.7049 of 2009 by the learned VI Assistant City Civil Judge, Chennai, thereby dismissing the petitions filed by the petitioner to recall and reopen the evidence of D.W.1 and D.W.2.

2. In all the CRPs, the petitioner is the 18th defendant in the suit filed by the 19th respondent herein for permanent injunction, in respect of the suit property. The suit was filed in the year 2000 and thereafter both sides evidences closed. When the suit was posted for judgment after conclusion of arguments, the petitioner being the 18th defendant in the suit filed petition to re-open and re-call D.W.1 and D.W.2.

3. On perusal of records it revealed that the petitioner already filed petitions to re-open and re-call D.W.1. The said petitions were allowed and through D.W.1, she marked Ex.D.37, even in the year 2009 itself. Again she filed petitions to re-open and re-call D.W.1 and D.W.2 to mark the voters ID, Ration card and also letters issued by the Tashildar.

4. It is seen from the records, the learned counsel, who entered appearance on behalf of the petitioner in all cases, reported that the entire bundle have already been handed over to the petitioner and he had given change of vakalath. Today, Mr.Ramesh Ramachandran, learned counsel represented that he yet to receive instructions from the petitioner and he

seeks time to file vakalath. The suit is of the year 2000 and the Civil Revision Petitions are filed in the year 2009. These Civil Revision Petitions are pending for the past 12 years and the petitioner did not take any steps to engage new counsel to appear on behalf of her. It is nothing but delaying tactics and it cannot be permitted.

5. That apart, when the suit was posted for judgment after conclusion of arguments, the present petitions have been filed by the petitioner herein. The documents which are sought to be marked by the petitioner were issued in the year 2006. Therefore, the trial Court rightly dismissed the petitions. This Court finds no illegality or infirmity in the orders passed by the Court below. Considering the facts and circumstances, the trial Court viz., the learned VI Assistant City Civil Judge, Chennai, is directed to dispose the suit within a period of six weeks from the date of receipt of copy of this Order.

6. With the above directions, all the Civil Revision Petitions are dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

18.02.2021

Internet : Yes

Index : Yes/No

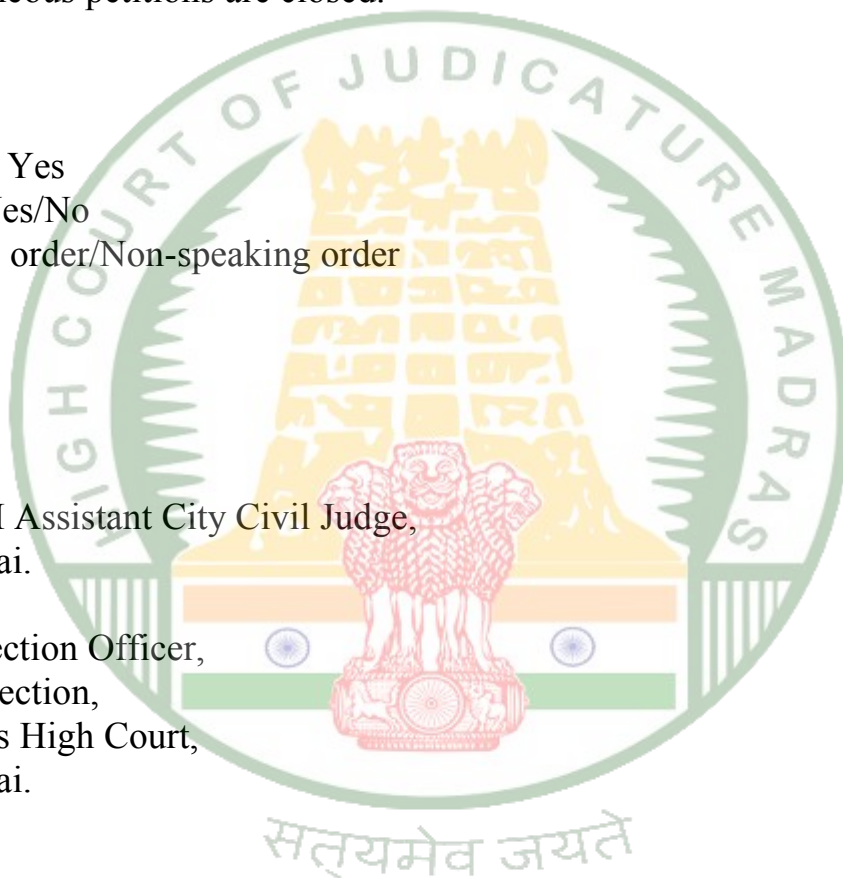
Speaking order/Non-speaking order

rts

To

1. The VI Assistant City Civil Judge,
Chennai.

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



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G.K.ILANTHIRAIYAN, J.

rts



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