



C.R.P.Nos.698,702 & 704 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

C.R.P.(PD).Nos.698,702 & 704 of 2019

and

C.M.P.No.4575 of 2019

Perumal

.. Petitioner in all CRPs

Versus

1.A.Sankar

2.M.Manoharan

.. Respondents in all CRPs

Prayer in CRP.No.698 of 2019: Civil Revision Petitions filed under Article 227 of Constitution of India, praying to set aside the order dated 11.01.2019 made in I.A.No.239 of 2018 in O.S.No.52 of 2011 on the file of the learned District Munsif, Sholinghur.

Prayer in CRP.No.702 of 2019: Civil Revision Petitions filed under Article 227 of Constitution of India, praying to set aside the order dated 11.01.2019 made in I.A.No.238 in O.S.No.52 of 2011 on the file of the learned District Munsif, Sholinghur.



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Prayer in CRP.No.704 of 2019: Civil Revision Petitions filed under Article 227 of Constitution of India, praying to set aside the order dated 11.01.2019 made in I.A.No.240 of 2018 in O.S.No.52 of 2011 on the file of the learned District Munsif, Sholinghur.

For Petitioner : Mr.G.Jeremiah

For Respondents : Mr.K.V.Ananth Krishnan

COMMON ORDER

The petitioner is challenging the orders passed by the learned District Munsif, Sholinghur, in I.A.No.239 of 2018, I.A.No.238 of 2018 and I.A.No.240 of 2018 respectively in O.S.No.52 of 2011, dated 11.01.2019.

2. Heard Mr.G.Jeremiah, learned counsel for the petitioner and Mr.K.V.Ananth Krishnan, learned counsel appearing on behalf of the respondents.

3. The learned counsel for the revision petitioner submitted



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that without stating any reasons, the respondents / defendants herein have filed an I.A.No.239 of 2018, I.A.No.238 of 2018 and I.A.No.240 of 2018 before the learned District Munsif, Sholinghur, in O.S.No.52 of 2011, to re-open, to re-call and to receive the documents, which was objected by the plaintiff for the reason that after completion of the evidence, when the case was reserved for judgment, the respondents have preferred these I.A.s to submit the documents after completion of the trial.

4. On hearing both sides, the learned trial Judge allowed the applications with costs, against which the petitioner has preferred these revisions.

5. The contention of the revision petitioner is that without stating any reason the documents were filed.

6.Per contra, the learned counsel for the respondents / defendants submitted that, earlier, at the time of examination of DW1, the defendants filed application to receive the document, which was allowed by



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the learned trial Judge, against which the revision petitioner has preferred revision petitions in C.R.P.Nos.1858 and 1859 of 2018, before this Court.

While disposing of the said revision petitions, on 23.07.2018, the defendants were given liberty to file fresh applications giving all particulars of the documents and after receiving the same, the trial Court is directed to dispose of the case in accordance with law.

7. As per the direction given in the said CRPs, the defendants have preferred those applications against the plaintiff before the trial Court. But as rightly pointed out by the learned counsel for the petitioner, even the direction given by this Court in C.R.P.Nos.1858 and 1859 of 2018 also specifically mention adjudicate the issue between the parties fairly and opportunities were given to both sides in the suit concerned. Even though, the objection raised by the petitioner is sustainable one, but he could raise the same at the time of marking of documents before the trial Court.

8. Hence, this Court is inclined to dismiss these Civil Revision Petitions and confirm the orders passed by the learned District



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Munsif, Sholinghur in I.A.No.239 of 2018, I.A.No.238 of 2018 and I.A.No.240 of 2018 respectively in O.S.No.52 of 2011. The learned trial Judge is directed to dispose of the suit within a period of three months from the date of receipt of a copy of this order. Consequently connected miscellaneous petition is closed. No Costs.

22.10.2021

Index : Yes / No
Speaking Order: Yes/No

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To

- 1.The District Munsif,
Sholinghur.
- 2.The Section Officer,
V.R.Section, High Court of Madras.



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T.V.THAMILSELVI, J.

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