

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2021

CORAM

THE HON'BLE Mrs. JUSTICE S.KANNAMMAL

C.R.P.(NPD).No.2335 of 2017
and C.M.P.No.10971 of 2017

K.Murugesan

... Petitioner

Vs.

1.K.ailasam

2.N.Nithyanandh

3.Pappathiammal

... Respondents

Prayer: The Civil Revision Petition filed under Section 227 of Constitution of India, against the order of the Additional District Judge, Namakkal dated 12.06.2017 made in memo dated 07.04.2017 in I.A.No.4 of 2017 in A.S.No.21 of 2014.

For Petitioner :Mr.P.Valliappan

For Respondents :Mr.K.R.Krishnan

ORDER

(Heard through video conferencing)

This Civil Revision Petition has been filed seeking to set aside the order of the Additional District Judge, Namakkal dated 12.06.2017 made in memo dated 07.04.2017 in I.A.No.4 of 2017 in A.S.No.21 of 2014.

2. The learned counsel for the petitioner present. No representation for the respondents inspite of given sufficient opportunity.

3. This civil revision petition is against the order passed by the Additional District Munsif, Namakkal, rejecting the memo filed by the petitioner to decide the petition in I.A.No.4 of 2017, before hearing the main appeal in A.S.No.21 of 2014. I.A.No.4 of 2017 has been filed by the respondents herein to receive additional documents. The petitioner herein also has filed a counter. Mean time this revision petitioner filed a memo to decide I.A.No.4 of 2017 on merits before hearing the appeal.

4. The learned Additional District Judge dismissed the memo by stating that interlocutory application is to be heard along with appeal.

5. This court does not find any perversity or irregularity in the order passed by the learned Judge and therefore, this court is not inclined to interfere with the impugned order. The petitioner herein can raise all his objections at the time of arguments in the main appeal and I.A.No.4 of 2017.

6. The learned Additional District Judge is directed to dispose of the appeal along with interlocutory application within a period of three months from the date of receipt of a copy of this order after giving opportunity to both the parties.

7. With the above direction, this civil revision petition is disposed of. Consequently, connected miscellaneous petition is closed.

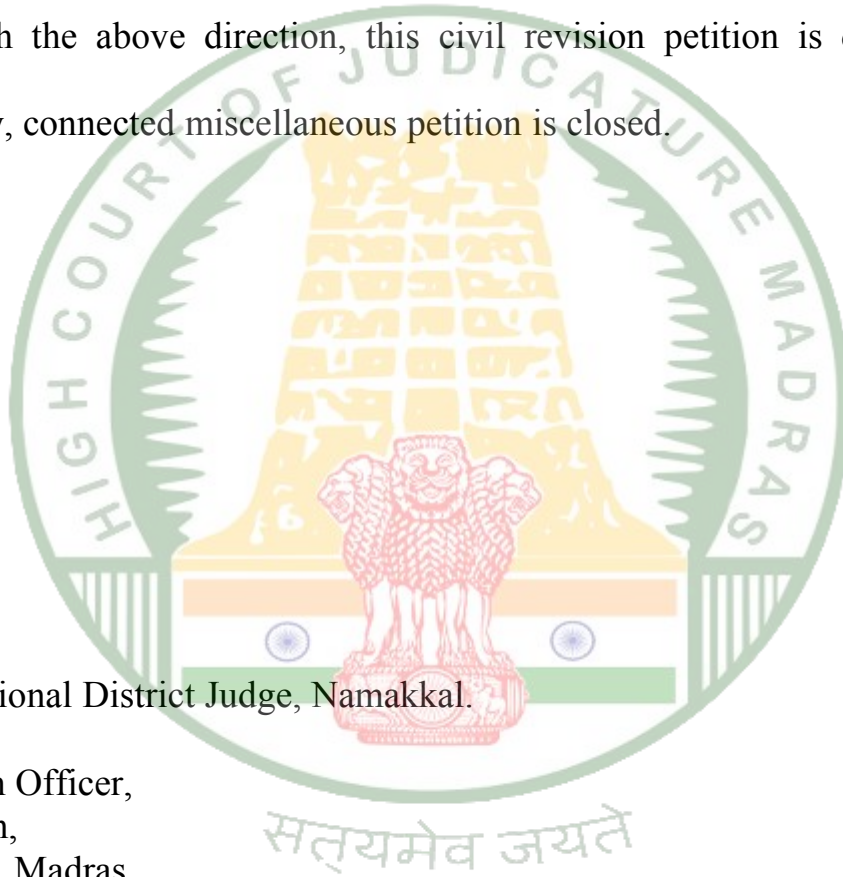
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To

1.The Additional District Judge, Namakkal.

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

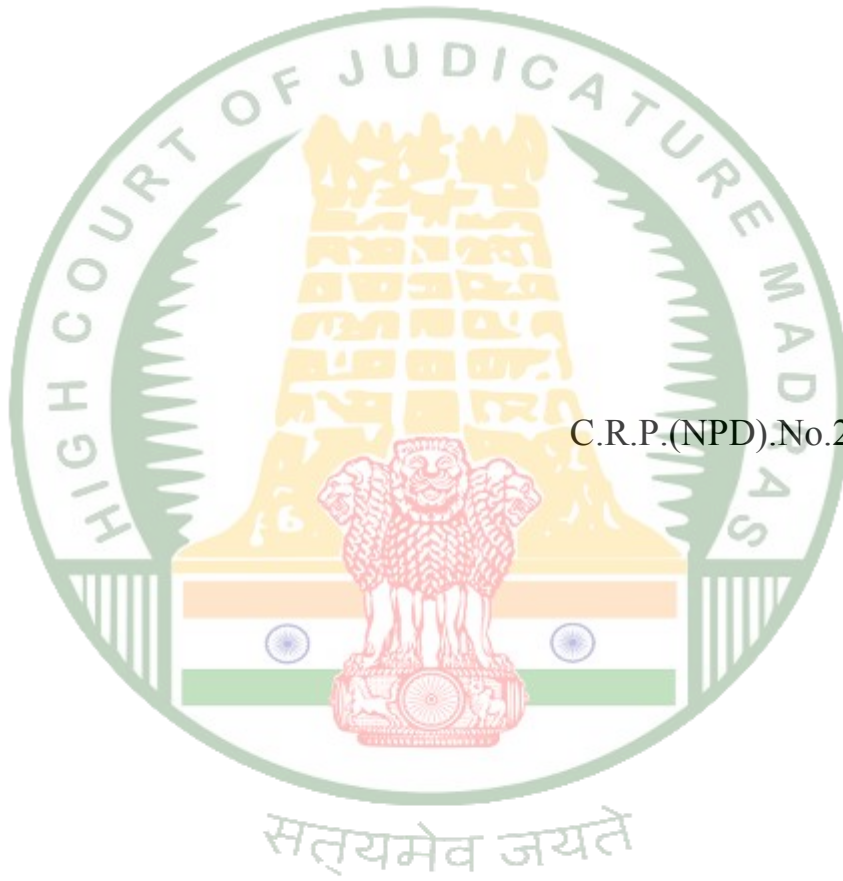
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S.KANNAMMAL.J.

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