

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2021

CORAM

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

CRP (PD) No.2445 of 2017
and CMP.No.11553 of 2017

1.Manivannan
2.P.Bharadhan

..Petitioners

Vs.

1.Dhanapal
2.D.Selvi

..Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 07.03.2017 in I.A.No.73 of 2017 in O.S.No.1008 of 2012 on the file of the I Additional District Munsif, Salem.

For Petitioners : Mr.K.Sathish Kumar
For Respondents : Mr.R.Nalliyappan

ORDER

This Civil Revision Petition is filed against the fair and decreetal order dated 07.03.2017 in I.A.No.73 of 2017 in O.S.No.1008 of 2012 on the file of the I Additional District Munsif, Salem, thereby dismissing the petition to re-open the plaintiffs evidence.

2. The petitioners are the plaintiffs and the respondents are the

defendants. The petitioners filed a suit for permanent injunction in respect of the suit property and mandatory injunction directing the first respondent to remove the electric pole bearing service connection No.322 situated in the suit property. After closing the evidence, the petitioner has come forward with the petition to re-open the plaintiffs evidence to mark the CSR issued by Mallur Police.

3. According to the petitioners, they lodged a complaint before Mallur Police and the CSR was marked by Mallur Police. Now, they want to examine the police officials to prove that the respondents had given undertaken before Mallur Police on the complaint lodged by the petitioners. Whatever be the complaint given before the police station is inadmissible evidence and as such, no purpose would be served to re-open the plaintiffs evidence to examine the police officials. Therefore, the Court below has rightly dismissed the petition.

4. In view of the above, this Court finds no illegality or infirmity in the order passed by the Court below. The Civil Revision Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is

closed.

19.03.2021

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

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To

The I Additional District Munsif,
Salem.



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G.K.ILANTHIRAIYAN,J.



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