

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2021

CORAM

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

**C.R.P.(PD) No.2999 of 2018
and
CMP No.17992 of 2018**

M.Nagaraj

...

Petitioner

Vs

Sheik Nazer

...

Respondent

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 06.01.2018 made in I.A.No.1307 of 2017 in O.S.No.2620 of 2013 on the file of the I Additional District Munsif, Coimbatore.

For Petitioner : Mr.S.Saravana Kumar

For Respondent : No appearance

ORDER

This Civil Revision Petition is filed against the fair and decreetal order dated 06.01.2018 made in I.A.No.1307 of 2017 in O.S.No.2620 of 2013 on the file of the I Additional District Munsif, Coimbatore, thereby dismissing the petition for direction directing the Village Administrative Officer to depose before the Court below by

producing the documents.

2. The petitioner is the plaintiff and the respondent is the defendant. When the trial was proceeded, the petitioner filed a petition for direction to direct the Village Administrative Officer to depose before the Court below in order to prove that no patta has been issued in favour of respondent's father. The Court below rightly dismissed the petition for the reason that the purpose of summoning is to disprove the case of the respondent. Whereas, burden is on the shoulder of the plaintiff to prove his case.

3. In view of the above, this Court finds no infirmity or illegality in the order passed by the Court below. Accordingly, the Civil Revision Petition stands dismissed. However, the Court below 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.

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30.06.2021

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Index: Yes/No

Internet: Yes/No

Speaking Order: Yes/No

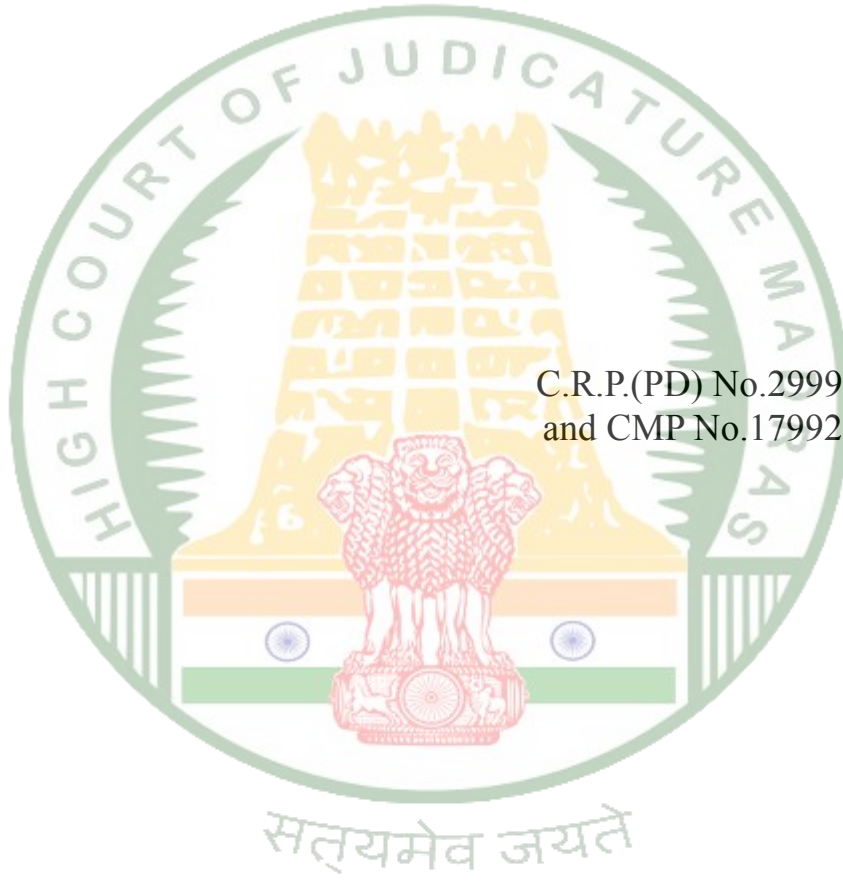
To

The Sub Judge,
Udumalpet.



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G.K.ILANTHIRAIYAN,J.



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