

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2021

CORAM

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

C.R.P.PD.Nos.3547 & 3548 of 2018
and
CMP No.19850 of 2018

CRP.No.3547 of 2018

Krishnasamy Gounder

...

Petitioner

Vs

1.C.Kuppusamy

2.C.Thangaraj

...

Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decretal order dated 03.03.2018 passed in IA.No.1191 of 2017 in OS.No.352 of 2009 on the file of the District Munsif Court, Dharapuram, Tiruppur District

For Petitioner : Mr.L.Ramanathan
for M/s.Swaraj Associates

For Respondents : Mr.M.Guruprasad

CRP.No.3548 of 2018

Krishnasamy Gounder

...

Petitioner

Vs

1.C.Kuppusamy
2.C.Thangaraj

... Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and final order dated 03.03.2018 passed in IA.No.1192 of 2017 in OS.No.352 of 2009 on the file of the District Munsif Court, Dharapuram, Tiruppur District

For Petitioner : Mr.L.Ramanathan
for M/s.Swaraj Associates

For Respondents : Mr.M.Guruprasad

COMMON ORDER

The Civil Revision Petitions are filed against the fair and decretal order dated 03.03.2018 passed in IA.No.1191 of 2017 in OS.No.352 of 2009 on the file of the District Munsif Court, Dharapuram, Tiruppur District; and against the fair and final order dated 03.03.2018 passed in IA.No.1192 of 2017 in OS.No.352 of 2009 on the file of the District Munsif Court, Dharapuram, Tiruppur District.

2. In both the civil revision petitions, the petitioner is the defendant and the respondents are the plaintiffs. The respondents filed suit for declaration and partition. After examination of both side evidence, the petitioner filed petition to reopen and recall of PW1. Admittedly, the suit

was posted for arguments. At that juncture, the petitioner filed petition to reopen and recall PW1 for further cross examination.

3. The court below rightly dismissed the petitions for the reason that it is nothing but filling up of lacuna and dragging the proceedings. Therefore, this Court finds no merits in the civil revision petitions.

4. Accordingly, both the civil revision petitions are dismissed. Consequently, connected miscellaneous petition is closed. No order as to costs.

02.07.2021

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Index: Yes/No

Internet: Yes/No

Speaking Order: Yes/No

सत्यमेव जयते

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C.R.PD.Nos.3547 & 3548 of 2018

G.K.ILANTHIRAIYAN,J.

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To

The District Munsif,
Dharapuram, Tiruppur District



C.R.PD.Nos.3547 & 3548 of 2018

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02.07.2021