



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2021

CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

C.R.P(MD).Nos.1218 and 1219 of 2021 and

CMP(MD).No.6976 of 2021 in CRP(MD).No.1219 of 2021

WEB COPY

Kamatchidass : Petitioner / Petitioner /
Plaintiff

Vs.

C. Yogeswaran : Respondent / Respondent /
Defendant

PRAYER in CRP(MD).No.1218 of 2021 :- Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order passed in I.A.No.293 of 2020 in O.S.No.447 of 2019 dated 03.03.2021 on the file of Sub Court, Melur, Madurai District.

PRAYER in CRP(MD).No.1219 of 2021 :- Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order passed in I.A.No.292 of 2020 in O.S.No.447 of 2019 dated 03.03.2021 on the file of the Sub Court, Melur, Madurai District.

For petitioner in : Mr. Muthukumar
both CRPs for Mr.R. Mariappan

COMMON ORDER

The revisions are directed against the orders passed in I.A.Nos.293 and 292 of 2020 in O.S.No.447 of 2019, dated 03.03.2021, on the file of the Sub Court, Melur, Madurai District.

2. Since the order going to be passed will not cause any prejudice to the rights of the respondent, no notice need be sent to the respondent.

3. It is seen from the records that the revision petitioner, who is the plaintiff, has filed the suit in O.S.No.1215 of 2011, on the file of Sub Court (Camp Court), Melur, and the same was transferred to Sub Court, Melur and re-numbered as O.S.No.447 of 2019, for recovery of money, that the plaintiff side evidence was over and that the defendant side evidence also closed on 25.02.2020. After closing of evidence, the revision petitioner, who is the plaintiff, has filed applications to



the case in I.A.Nos.292 and 293 of 2021 respectively and the same were dismissed on 03.03.2021. Aggrieved over the said orders, the petitioner has filed the present revisions.

4. The learned counsel appearing for the revision petitioner would submit that the petitioner has filed petitions to reopen the case for marking of additional documents. He would further submit that the respondent put the signature in the bit notice and received money from the petitioner and hence, the said bit notice, power deed and sale deed are yet to be marked, but, the trial Court without considering the facts, simply dismissed the petitions on the ground that the respondent has no relationship with the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the evidence on either side were closed, that the suit was posted for arguments on 10.03.2020 and that due to Covid 19 pandemic situation only the case was adjourned periodically. In such circumstances, filing of petitions for recall of PW.1 and mark the additional documents is not proper and the petitioner has also not given any valid reason for the same. Hence, this Court is not inclined to interfere with the orders passed by the Court below.

6. In the result, the Civil Revision Petitions are dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS III)

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/ /2021

Sub Assistant Registrar(CS)

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To

1)The Sub Court, Melur, Madurai District.

2)The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.

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