



CRP.(PD)No.754 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2022

CORAM:

Mr. JUSTICE N.SESHASAYEE

C.R.P.(PD)No.754 of 2022
and C.M.P.No.3753 of 2022

M/s.A.C.I.Wonderwood Products
Represented by its Managing Partner
Mr.M.Raghuraman
Plot No.19, 10th Street
A.V.Nagar, Phase-I, Madanandapuram
Porur, Chennai 600 116

... Petitioner

Vs.

Danush Interiors and Contractors
New No.60, Old No.146, Eldams Road
Teynampet, Chennai 600 018

... Respondent

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 04.02.2002 in I.A.No.2 of 2021 in O.S.No.3341 of 2020 passed by XIX Assistant City Civil Court, Chennai.

For Petitioner : Mr.K.K.Murraltharan

For Respondent : Mr.R.Magesh



ORDER

The present revision is filed by the plaintiff challenging an order passed by the trial Court in I.A.No.2 of 2021 in O.S.No.3341 of 2020, which the defendant / respondent herein had filed for seeking leave of the Court under Order VIII Rule 1(A)3 C.P.C. for production of certain documents on his side.

2.Heard both sides.

3.The learned counsel for the respondent / defendant submits that the respondent literally has brought in some surprise, which requires certain amount of additional pleading on his side and also to recall P.W.1 to produce certain documents. He added that the defendant has come forward with a blank letter head and wants to build a case to rebut an evidence adduced by the plaintiff to substantiate the cause of action.

4.The suit is laid for money and this Court is informed that the defendant indeed admits the supply of goods. This is however on facts on which this Court does not focus its attention for the present. The plaintiff as part of its



effort to prove its case has produced a certain letter head as belonging to the defendant. The defendant now has produced a blank letter head which differs in style and presentation vis-a-vis the letter head alleged to have belonged to the defendant by the plaintiff.

5. So far as the order passed by the trial Court is concerned, it has to be underscored that every trial Court has its procedural space for deciding certain aspects during trial and not every order needs to be interfered by this Court in exercise of its Power under Article 227 of the Constitution. The order passed by the trial Court does not appear to suffer from any illegality, irregularity or impropriety. Consequently, this Court does not intend to interfere with the same.

6. Having held thus, since this document is introduced after conclusion of the evidence of the plaintiff, it is only appropriate that the plaintiff is given an opportunity to defend it both by way of any additional pleading and also any evidence that he may have to produce. At the first instance, he may file his additional pleadings / rejoinder and he may wait to produce his rebuttal



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N.SESHASAYEE, J.,

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evidence to the document which the defendant now seeks to introduce in
evidence subsequent to the conclusion of the evidence of the defendant.

7.The Civil Revision revision is dismissed subject to the above observation.
Consequently, the connected C.M.P.No.3753 of 2022 is also dismissed. No
costs.

26.04.2022

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order

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To
The XIX Assistant City Civil Court
Chennai,

C.R.P.(PD)No.754 of 2022
and C.M.P.No.3753 of 2022