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C.R.P (PD) No.927 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2022

CORAM: **JUSTICE N.SESHASAYEE**

C.R.P (PD) No.927 of 2020
and C.M.P. No.4916 of 2020

1.Savithiri
2.Malarvizhi
3.Ilavarasi
4.Shanmugam

... Petitioners

Vs.

R.Kumar

... Respondent

PRAYER: The Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 02.12.2019 in I.A. No.1 of 2019 in O.S. No.49 of 2017 on the file of learned Additional District Judge, Dharmapuri.

For Petitioners : Mr.R.Selvakumar

For Respondent : Mr.P.Valliappan

ORDER

In a suit for specific performance, the defendant had taken out an application to recall PW2, for cross-examination. Earlier, PW2's cross-examination was closed, since the defendants did not cross-examine him on four occasions.

2. The learned counsel appearing for the revision petitioners submitted that the



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line of defence the revision petitioners/defendants have taken is that the sale agreement was executed to secure a loan, which they had obtained from the plaintiff.

3. Heard both sides.

4. This court considers it only appropriate to grant the revision petitioners an opportunity of cross-examining PW2, but, with a cost of Rs.10,000/- to be paid to the respondent, for the inconvenience that was caused to the respondent/plaintiff, on or before 29.04.2022. The revision is accordingly disposed of. Consequently, the connected civil miscellaneous petition is closed.

21.04.2022

Asr

To
The Additional District Judge, Dharmapuri



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N.SESHASAYEE, J.,

Asr

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