



C.R.P(PD).No.1751 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM :

THE HONOURABLE MS. JUSTICE R.N.MANJULA

C.R.P.(PD).No.1751 of 2022
and C.M.P.No.8818 of 2022

Dr.S.Parthasarathy

...
Petitioner

..Vs..

V.G.Srinivasan

... Respondent

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and decretal order passed by the learned II Assistant Judge, City Civil Court, Chennai in I.A.No.6 of 2022 in O.S.No.9001 of 2008 dated 27.04.2022

For Petitioner : Mr.P.S.Vijayakumar

For respondent : Mr.S.Santhoshkumar



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ORDER

This Civil Revision Petition has been preferred, challenging the order of the learned II Assistant Judge, City Civil Court, Chennai, dated 27.04.2022 made in I.A.No.6 of 2022 in O.S.No.9001 of 2008.

2.The revision petitioner is the defendant in the suit. During the pendency of the suit, the revision petitioner filed a petition in I.A.No.6 of 2022, to receive his additional documents and the same was dismissed. Aggrieved over the said order, the revision petitioner/defendant has preferred the present petition.

3.The learned counsel for the petitioner submitted that the documents sought to be produced by the petitioner is necessary to prove his defence and by way of giving a fair opportunity to him, the learned trial Judge ought to have allowed the petitioner to produce the same.



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4.The learned counsel for the respondent submitted that the petitioner had chosen to file this petition just to delay the proceedings, when there is already a direction of this Court in C.R.P.No.747 of 2019 that the trial Court should dispose the case within three months.

5.Though there was delay on the part of the revision petitioner to produce additional documents, in order to serve substantial justice, it would have been good if the learned trial Judge allowed the petitioner to file his additional documents subject to its admissibility. In the event of allowing the revision petitioner to file his additional documents as prayed by him, it is the duty of the revision petitioner to see that the trial proceedings is not delayed, because of his inadvertence or otherwise.

6. Accordingly, the Civil Revision Petition is allowed and the order of the learned II Assistant Judge, City Civil Court, Chennai, dated 27.04.2022 made in I.A.No.6 of 2022 in O.S.No.9001 of 2008, is hereby set aside. The parties are at liberty to recall the witnesses if any for the



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purpose of further examination, in view of the additional documents filed by the revision petitioner. No Costs. Consequently, connected Miscellaneous Petition is closed.

14.06.2022

vkr

Index:Yes No

Speaking Order:Yes/No

To

- 1.The II Assistant Judge,
City Civil Court, Chennai.
- 2.The Section Officer,
VR Section, Madras High Court,
Chennai.



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R.N.MANJULA,J.

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