



C.R.P(PD).No.1867 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM :

THE HONOURABLE MS. JUSTICE R.N.MANJULA

C.R.P.(PD).No.1867 of 2022

and

C.M.P.No.9528 of 2022

A.R.Salaudeen @ Salaudeen Abdul Razhak ... Petitioner

..Vs..

Thaslima Farvin ... Respondent

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 12.04.2022 passed in I.A.No.268 of 2022 in O.S.No.33 of 2020 on the file of the District Munsif Court, Panruti.

For Petitioner : Mr.S.Sadasharam

For Respondent : Mr.R.Gopinath

O R D E R

This Civil Revision Petition has been preferred, challenging the order of the learned District Munsif, Panruti, dated 12.04.2022 made in I.A.No.268 of 2022 in O.S.No.33 of 2020.



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2.The petitioner is the defendant in the suit in O.S.No.33 of 2020. He has also filed another suit in O.S.No.95 of 2017 against the respondent/plaintiff for the same relief and the petition was filed by the petitioner in I.A.No.268 of 2022 for joint trial of both suits. The Court granted permission for joint trial. Having given no reasons for joint trial, now the revision petitioner has preferred this revision.

3.The learned counsel for the petitioner submitted that despite the suits are directed to be tried together, the evidence is being let in O.S.No.33 of 2020, which is subsequent to the other suit filed in O.S.No.95 of 2017.

4.In fact, the Registry ought not to have taken the Civil Revision Petition itself on file.

5.The revision petitioner/defendant himself has stated no objection for joint trial. When the matters are taken up for joint trial, it is at the convenience of the learned trial Judge to allow the parties to let in evidence in either of the proceedings and to consider the same as evidence for the other suit



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as well. In fact only for such convenience, joint trial is allowed. Hence, the revision petitioner/defendant cannot say that he got aggrieved, because the Court allowed the evidence to be let in the other suits. Whatever evidence let in O.S.No.33 of 2020 will be considered as evidence for the other suit in O.S.No.95 of 2017 and hence, no prejudice will be caused to the parties. Hence, I do not find any reason for interference.

5.Accordingly, the Civil Revision Petition is dismissed and the order of the learned District Munsif, Panruti, dated 12.04.2022 made in I.A.No.268 of 2022 in O.S.No.33 of 2020, is hereby confirmed. No Costs. Consequently, connected Miscellaneous Petition is closed.

17.06.2022

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Index:Yes No

Speaking Order:Yes/No

To

1.The District Munsif,
Panruti.

2.The Section Officer,
VR Section, Madras High Court,
Chennai.

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R.N.MANJULA,J.

Vkr

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