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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

C.R.P.Nos.3461 & 3462 of 2022
and
CMP.Nos.18453 & 18455 of 2022

M/s.Sridevi Ceramics & Tiles Shop
Rep by its Proprietor
K.Muthulingam

...Petitioner

in both the CRPs

Vs

T.John Kingston

... Respondent
in both the CRPs

COMMON PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India to set aside the order dated 06.09.2022 passed in MP.Nos.2 & 3 of 2022 in RLTOP.No.796 of 2021 on the file of X Small Causes Court, Chennai.

For Petitioner :Ms.C.Alagu Bhavani
in both the CRPs

For Respondent : Mr.R.Subramanian
in both the CRPs For M/s.Jeremiah Gregory John



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COMMON ORDER

These Civil Revision Petitions are directed against the order passed by the court below dismissing the petition filed by the revision petitioner to re-open the case and recall PW1.

2. When the matters are taken up for hearing, Mr.R.Subramanian, learned counsel, representing the counsel on record for the respondent, Mr.Jeremiah Gregory John and Mr.S.Annamalai, has submitted that without prejudice to his case in main RLTOP, he has no objection for allowing this revision to enable the court below to reopen the case and recall PW1.

3. The said statement is recorded.

4.The learned counsel for the respondent on record has also made an endorsement to that effect on the grounds of revision. Therefore, these Civil Revision Petitions are allowed by setting aside the order passed by the court below in MP.No.2 of 2022 and MP.No.3 of 2022. The court below is directed to re-open the case and recall PW1 to enable the revision petitioner



to cross examine the PW1.

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5. It is stated that the main RLTOP is posted for cross examination for respondent's side evidence tomorrow.

6. In view of the order passed in these revisions, the petitioner is permitted to cross-examine PW1 by recalling him. The court below is directed to dispose of the main RLTOP within a period of three months from the date of receipt of copy of this order.

7. In the result, these Civil Revision Petitions are allowed. Consequently, connected miscellaneous petitions are closed. No costs.

29.11.2022

Index : Yes/No

Internet : Yes/No

gv

Note: Issue order copy on 02.12.2022



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S.SOUNTHAR,J.

Gv

To

The X Small Causes Court, Chennai.

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