



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 07.02.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P (MD)Nos.43 and 44 of 2022

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Kothaiammal
Represented by Power Agent
G.T.Murugesan, 62 years,
S/o.Thiruvenkadam Pillai,
No.45, Ram Nivas,
West State Bank 1st Colony,
Bye Pass Road, Madurai - 625 016 ... Petitioner/Petitioner/Plaintiff
in both petitions

Vs.

1.M.Krishnan
2.P.Anandaraj
3.J.Arokia Jebakumar
4.H.Karnan
5.H.Kumaresan

... Respondents/Respondents/
Defendants
in both petitions

Common Prayer: Civil Revision Petitions filed under Article 227 of the Constitution of India, to call for the records relating to the dismissal order dated 29.04.2021 in IA.Nos.12 & 11/2021 in OS.No.193/2014 on the file of the District Munsif, Madurai Taluk, Madurai and set aside the same as illegal and allow the CRP.

In both petitions,

For Petitioner : Mr.A.Muruganantham

For Respondent : No Appearance

COMMON ORDER

The Petitioner / plaintiff has filed these civil revision petitions to set aside the orders dated 29.04.2021 in IA.Nos.12 & 11/2021 in OS.No.193/2014 on the file of the District Munsif, Madurai Taluk, Madurai

2. Since no adverse order against the respondents is supposed to be passed in the present petitions, notice to the respondents is not necessary.

3. IA.Nos.12 & 11/2021 in OS.No.193/2014 were filed by the petitioner / plaintiff under Order 18 Rule 17 and Section 151 of CPC to re-open and re-call PW1 and mark certain documents. After hearing both sides and perusing the materials on record, the learned District Munsif, Madurai has dismissed both IAs. Challenging the same, the petitioner / plaintiff has filed the present petitions.



4. The suit was filed in the year 2014. On the plaintiff's side, PW1 was examined and evidence was closed. On the defendants' side also, DW1 was examined and evidence was closed. The suit was posted for argument on 03.06.2019. The defendants counsel argued the case and the case was posted for argument on the side of the plaintiff. At this stage, after a lapse of two years, the plaintiff has filed IA.Nos.12 & 11/2021 to re-open and re-call PW1 and mark certain documents. It is pertinent to point out that the petitioner / plaintiff had not filed any receive document petition before the lower Court. The petitioner / plaintiff, without proper reason, had filed the Applications after two years, that too, after defendants' side argument was concluded. Hence, the learned District Munsif, Madurai had rightly dismissed the Applications. This Court does not find any valid reason to interfere with the order passed by the learned District Munsif, Madurai.

5. Accordingly, the civil revision petitions are dismissed. No costs. The orders dated 29.04.2021 in IA.Nos.12 & 11/2021 in OS.No.193/2014 on the file of the District Munsif, Madurai Taluk, Madurai are hereby confirmed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The District Munsif,
Madurai Taluk, Madurai.

C.R.P(MD)Nos.43 and 44 of 2022

CK(CO)

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