



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.04.2022
CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

C.R.P (PD) (MD) .No. 397 of 2022

and CMP (MD) Nos.1750 and 3401 of 2022

K.Dhanasekaran

... Petitioner

Vs

W.Sudir

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the fair and decreetal order dated 21.09.2021, in I.A.No.01 of 2021 in O.S.No.87 of 2021, passed by the learned II Additional District Judge, Tuticorin.

For Petitioner : Mr.R.Jegadeeswaran

For Respondents : Mr.P.Pethu Rajesh

ORDER

This Civil Revision Petition has been filed by the revision petitioner to set aside the fair and decreetal order, dated 21.09.2021 in I.A.No.01 of 2021 in O.S.No.87 of 2021, passed by the learned II Additional District Judge, Tuticorin.

2.I.A.No.1 of 2021 was filed by the respondent/plaintiff under Order 38 Rule 5, which was allowed by the trial Court. Now the suit is pending. The petitioner/defendant disputed the promissory note and the respondent/plaintiff filed a petition, to compare the signature of the defendant in the pronote with his contemporary signatures and that petition is pending in I.A.No.2 of 2021. Now the revision petitioner has stated that if I.A.No.2 of 2021 is pending before the trial Court, the trial Judge has to dispose of the matter earlier before proceeding with the suit.

3.The respondent has filed a petition in CMP(MD)No.3401 of 2022, to represent his wife, as his power agent and the said petition is to be filed to file this petition before the trial Court. The trial Court has to proceed with the trial after getting the report from the Forensic Expert and dispose of the case, in an expeditious manner.



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C.R.P(PD)(MD).No. 397 of 2022

4.With these observations, this Civil Revision Petition and connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

To

1.The II Additional District Judge, Tuticorin.

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

+1 CC to M/s.P. PETHU RAJESH, Advocate (SR-18672[F] dated 13/04/2022)

+1 CC to M/s.R. JEGADEESWARAN, Advocate (SR-18747[F] dated 13/04/2022)

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_RD(11.05.2022) 2P 6C