



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2022

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE S. ANANTHI

C.R.P (MD) .No.1272 of 2021 and
CMP (MD) .No.7332 of 2021

1.S.Subramanian

2.Sankara Subbulakshmi : Petitioners /Respondents/
Defendants

Vs.

Muthaiah Chettiar : Respondent/Petitioner/
Plaintiff

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India against the proceedings in I.A.No.4 of 2020 in O.S.No.214 of 2015 on the file of the I Additional District Munsif Court, Tirunelveli, dated 17.02.2021.

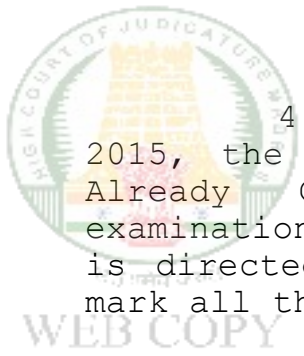
For petitioners : Mr. G. Aravinthan
For Respondent : Mr.T. Selvan

ORDER

The revision petitioners / defendants filed this revision to set aside the order, dated 17.02.2021 passed in I.A.No.4 of 2020 in O.S.No.214 of 2015 on the file of the I Additional District Munsif Court, Tirunelveli.

2. Heard the learned counsel appearing for both sides and perused the materials available on record.

3. The said Interlocutory Application filed by the respondent / plaintiff to examine the daughter of the plaintiff as PW. But, already the plaintiff was examined as PW.1 and not yet cross examined. Again, the son-in-law of the plaintiff filed a petition to give evidence. But, unfortunately, he died. Now, the daughter of the plaintiff filed a petition to examine herself on behalf of the plaintiff. PW.1 already examined in chief and not yet cross examined and therefore, his evidence goes.



4. Due to the age of the plaintiff 82 years in the year 2015, the trial Court has allowed the Interlocutory Application. Already Chief examination of PW.1 was over, but without cross examination. The said evidence has to struck off. The trial Court is directed to examine the daughter of the plaintiff as PW.1 and mark all the documents through her.

5. Since the suit is pending from the year 2015 and both the parties are senior citizens, the I Additional District Munsif, Thirunelveli is directed to dispose of the suit within a period of four months from the date of receipt of a copy of this order.

6. With the above observation, the Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

To

The I Additional District Munsif, Tirunelveli.

Copy to

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-14186[F] dated 24/03/2022)

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