



CRP(PD)(MD)Nos.1765 & 1766 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)Nos.1765 & 1766 of 2022

and

CMP(MD) Nos.7795 & 7796 of 2022

Jeyarani

... Petitioner in both CRPs

Vs

1.Pounraj

2.Silambuselvi

... Respondents in both CRPs

Common Prayer: Petitions filed under Article 227 of the Constitution of India, to set aside the fair and decretal orders dated 01.08.2022 made in I.A.Nos.358 & 359 of 2022 in O.S.No.644 of 2017 on the file of the learned Subordinate Judge, Thirumangalam, Madurai District.

For Petitioner : Mr.S.Deenadhayalan

(In both CRPs)



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COMMON ORDER

These Civil Revision Petitions are filed as against the orders passed by the learned Subordinate Judge, Thirumangalam, Madurai in I.A.Nos.358 & 359 of 2022 in O.S.No.644 of 2017, dated 01.08.2022.

2.The suit in O.S.No.644 of 207 was filed by the respondents herein as against the petitioner, before the Additional Subordinate Judge, Tirumangalam, for the relief of recovery of money. Pending the suit, the petitioner/defendant filed an interlocutory applications in I.A.Nos.358 & 359 of 2022 to re-open the suit and to recall PW 1 for further cross examination on the ground that some of the vital questions which were omitted to ask. Those applications were dismissed by the trial Court. Aggrieved over the same, the present Civil Revision Petitions are filed.



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3.This Court, while entertaining these Civil Revision Petitions directed the petitioner to produce the copy of evidence of PW 1 and PW 2 and granted sufficient time and posted the matter on 16.11.2022 and further adjourned the matter to 24.11.2022. However, the petitioner has not produced the documents. Moreover, the trial Court while dismissing the applications has held that on the side of the plaintiffs, the second plaintiff was examined as PW 1 and one Parameswaran was examined as PW 2 and the plaintiffs' side evidence was closed on 29.06.2022. When the suit was posted for defendants' side evidence, the petitioner/defendant filed these applications to re-open the suit and to recall PW 1 that some vital questions were omitted to ask. The petitioner has not assigned any valid reasons for cross examination of PW 1. This Court has also given sufficient time to the petitioner to produce the copy of evidence of PW 1 and PW 2 and so far it was not produced.



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4.In view of the above, these Civil Revision Petition are dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

24.11.2022

Index : Yes / No.

Internet : Yes / No.

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To

The Subordinate Judge, Thirumangalam, Madurai District.



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B.PUGALENDHI, J.

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Common Order made in
CRP(PD)(MD)Nos.1765 & 1766 of 2022
and
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24.11.2022