



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (MD) .No.1431 of 2016

WEB COPY

Karthiyayini

... Petitioner

Vs.

1.Kalaivani

2.Vasanthakumari (died)

Memo dated 19.01.2022 filed on 20.01.2022

in USR.No.2152 and memo dated 07.12.2021

filed on 09.12.2021 in USR.No.27900 are recorded

as R2 died and petitioner and 1st respondent, who are

already on record are recorded as LR's of the deceased

R2 vide Court order dated 16.02.22 made in

C.R.P. (MD) .No.1431 of 2016.

3.Soman Nadar

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 29.03.2016 passed in I.A.No.282 of 2015 in A.S.No.2 of 2015 on the file of the IV Additional District Judge, Madurai.

For Petitioner : Mr.S.subbiah, Senior counsel
for M/s. Jessi Jevapriya

For Respondents : Mr.S.Ramesh

O R D E R

The revision petitioner/first respondent has filed this revision petition to set aside the order passed by the IV Additional District Judge, Madurai in I.A.No.282 of 2015 in A.S.No.2 of 2015, dated 29.03.2016.

2. The I.A.No.282 of 2015 was filed by the first respondent/appellant to send a Will dated 16.03.2005, which was marked as Ex.B1 in O.S.No.67 of 2007, from the District Munsif Court, Thirupattur, for the purpose of marking the same in A.S.No.2 of 2015, by way of additional evidence, which was allowed by the appellate Court. But, the appeal suit was already remitted back to the trial Court for adducing additional evidence.

3. The suit in O.S.No.67 of 2007 was already disposed up to second appeal on 01.08.2013. So, the revision petitioner/first respondent can get the original Will from the District Munsif Court, Thirupattur and to produce the same before the trial Court for marking and let in evidence.



4. With these observations, the Civil Revision Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

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/ /2022
Sub Assistant Registrar(CS)

akv

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

The IV Additional District Judge,
Madurai.

+1 CC to M/s.V.RAGHAVACHARI, Advocate (SR-9127[F] dated 01/03/2022)

+1 CC to M/s.P.JESSI JEEVA PRIYA, Advocate (SR-9886[F] dated 03/03/2022)

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28.02.2022

MK/10.03.2022/2P/4C