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C.R.P.NPD.Nos.1257 and 1258 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20/4/2023

C O R A M

THE HONOURABLE DR.JUSTICE D.NAGARJUN

C.R.P.NPD.Nos.1257 and 1258 of 2023

a n d

C.M.P.Nos.8502 and 8508 of 2023

Shaziya Banu

...

Petitioner in both the
petitions

Vs

C.Mohammed Ilias

...

Respondent in both the
petitions

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the docket order dated 19/12/2022 passed by the learned Rent Controller, XV Judge, Court of Small Causes, on the Memo filed in E.A.Nos.3 and 4 of 2022 in E.P.Nos.427 and 426 of 2022 in R.C.O.P.Nos.796 and 795 of 2016 and direct the learned Rent Controller, XV Judge, Court of Small Causes Court, Chennai, to permit the petitioner to let in evidence and mark documents in E.A.Nos.3 and 4 of 2022 in E.P.Nos.427 and 426 of 2022 in R.C.O.P.Nos.796 and 795 of 2016.



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For Petitioner

...

Mr.B.Hari Krishnan

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COMMON ORDER

These Civil Revision Petitions are filed to set aside the docket order dated 19/12/2022 passed by the learned Rent Controller, XV Judge, Court of Small Causes, on the Memo filed in E.A.Nos.3 and 4 of 2022 in E.P.Nos.427 and 426 of 2022 in R.C.O.P.Nos.796 and 795 of 2016 and to direct the learned Rent Controller, XV Judge, Court of Small Causes Court, Chennai, to permit the petitioner to let in evidence and mark documents in E.A.Nos.3 and 4 of 2022 in E.P.Nos.427 and 426 of 2022 in R.C.O.P.Nos.796 and 795 of 2016.

2. Heard Mr.B.Harikrishnan, learned counsel for the petitioner, who has submitted that subsequent to the filing of these Civil Revision Petitions, petitioner has filed certain documents, in order to prove his obstruction from execution of the decree. The learned trial Judge, while considering the said documents has ultimately rejected the obstruction raised by the petitioner and execution was ordered by way of delivery of possession. He has submitted further that he intends to file revisions, challenging the orders passed by the learned Judge.



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4. These Civil Revisions have been filed aggrieved by the action of the Execution Court in not permitting the petitioner to let in oral evidence. Since the document evidence has been considered and orders have been passed, these Civil Revision Petitions have become infructuous.

5. Accordingly, these Civil Revision Petitions are dismissed as infructuous. However, the petitioner is at liberty to challenge the eviction orders passed by the Execution Court, as per law. No costs. Consequently, the connected Miscellaneous Petitions are closed.

20/4/2023

Index: Yes/No

Neutral Citation Case : Yes/No

mvs.

To

The Rent Controller, XV Judge, Court of Small Causes Court, Chennai,



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DR.D.NAGARJUN, J

mvs.

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