



WEB COPY



CRP Nos.2656 & 3057 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2023

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THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.Nos.2656 & 3057 of 2016
and CMP.No.13660 of 2016

Ilanchezhian

..Petitioner in both CRPs

Vs.

1.Sangeetha

2.Karunanidhi

..Respondents in both CRPs

Common prayer: Civil Revision Petitions filed under Article 227 of the Constitution of India, to set aside the judgment and decree dated 23.03.2016 passed in I.A.Nos.130 and 131 of 2016 in O.S.No.13 of 2012 on the file of the Sub-Judge, Neyveli.

(In both petitions)

For Petitioner : Mr.T.Magendiran

For Respondents

For R1 : Mr.R.Chakkaravarthy

For R2 : Not ready in notice

COMMON ORDER

These civil revision petitions have been filed as against the fair and decreetal order dated 23.03.2016 passed in I.A.Nos.130 and 131 of 2016 in O.S.No.13 of 2012 on the file of the Sub-Judge, Neyveli, thereby dismissing the applications filed to reopen and recall PW1.



2. The petitioner is the second defendant in the suit filed by the first respondent herein. The first respondent filed a suit for partition and cross examination of plaintiff's witnesses began. When the suit was posted for defense evidence, the petitioner herein filed an application to reopen and recall PW1, which came to be dismissed and hence these civil revision petitions.

3. A perusal of records revealed that the petitioner already cross examined them fully on two occasions. When the suit was posted for defense evidence, in order to drag on the proceedings only, the petitioner filed an application to reopen and recall PW1. Therefore, the Court below rightly dismissed the said applications and this Court finds no infirmity or illegality in the order passed by the Court below.

4. Accordingly, these civil revision petitions stand dismissed. The Trial Court is directed to dispose of the suit within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

12.01.2023
(1/2)

Speaking/Non-speaking order
Index : Yes/No
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G.K.ILANTHIRAIYAN.J.

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To

The Sub-Judge,
Neyveli.

CRP.Nos.2656 & 3057 of 2016

12.01.2023

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