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C.R.P.Nos.1749, 1750, 1752 & 1753 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2023

CORAM:

THE HONOURABLE Mrs.JUSTICE T.V.THAMILSELVI

C.R.P.Nos. 1749, 1750, 1752 & 1753 of 2023

and

C.M.P. No. 11393 of 2023

U. Pushpa

.. Petitioner
in all the CRPs

Vs

1.The Collector,
Chennai District,
District Collectorate,
M. Singaravelar Maaligai,
62, Rajaji Salai, Chennai – 600 001.

2.The Tahsildar,
Velacherry, O/o.Tahsildar,
V.V.Koil Street,
Institute of Road Transport Training Centre Complex,
Tharamani, 100 feet road,
Chennai – 600 113.

3.Istha Sidhi Vinayakar Temple,
Rep., by Trustee,
Istha Sidhi Vinayakar Temple Street,
Kazhikundram Village,
T.T.T.E.Post, Chennai – 600 113.

.. Respondents
in all the CRPs



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COMMON PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 31.03.2023 passed in I.A.Nos.3, 4, 2 & 1 of 2022 respectively in O.S.No.5397 of 2016 on the file of VIII Assistant Judge City Civil Court, Chennai.

For Petitioner : Mr. K. Elangoo

For Respondents : Mr. V. Jeevagiridharan, for R1 & R2
Additional Government Pleader
Mr. B. Leeshsundharam, for R3
for M/s. Nathan & Associates

ORDER

This Civil Revision Petition is filed challenging the impugned order passed in all the Interlocutory Applications in I.A.Nos.3, 4, 2 & 1 of 2022 respectively in O.S.No.5397 of 2016 on the file of VIII Assistant Judge City Civil Court, Chennai, the plaintiff has preferred these revisions.

2. Before the trial Court, the revision petitioner / plaintiff filed an applications to re-open, re-call and to adduce the documents. That applications were dismissed by the trial Judge.



3. Against which, the present revision petitions have been filed.

4. The learned counsel for the respondents / defendants submitted that in order to drag on the proceedings, the plaintiff / revision petitioner going on filing the applications. Even if she wants to mark the documents of the earlier suit proceeding in O.S.No.8054 of 2000 in A.S.No. 497 of 2006 she can very well obtain the certified copies of the said documents, for which the entire Court records need not be called for.

5. On perusal of the records, the plaintiff / revision petitioner wants to mark the earlier suit documents in O.S.No.8054 of 2000 in A.S.No.497 of 2006. As rightly pointed out by the learned counsel for the respondents, if the plaintiff / revision petitioner wants to mark such documents, she can avail third party copy application and get the copy of the judgment, for that, the entire Court records need not be called for. The conduct of the party as per the prayer made in applications clearly reveals that she wants to drag on the proceedings, for which, the Court cannot be



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entertained. But to give one more opportunity to prove before the trial Court, this Court is inclined to set aside the finding of the trial Judge in I.A.Nos. 3, 4, 2 & 1 of 2022 respectively in O.S.No.5397 of 2016 on the file of VIII Assistant Judge City Civil Court, Chennai. Time is granted to the revision petitioner / plaintiff to submit certified copy of those two judgments before the trial Court, within two weeks from the date of receipt of copy of this order.

6. The trial Court has rightly observed that the delay tactics made by the plaintiff / revision petitioner by abusing the process of law. So the revision petitioner / plaintiff is directed to pay costs within two weeks from the date of receipt of copy of this order, failing which, the order passed in CRP will be automatically cancelled. On production of the said documents, the trial Judge is directed to dispose the suit within two months from the date of receipt of copy of this order.



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7. In the result, the Civil Revision Petition is allowed by setting aside the impugned order dated 31.03.2023 passed in I.A.Nos. 3, 4, 2 & 1 of 2022 respectively in O.S.No.5397 of 2016 on the file of VIII Assistant Judge City Civil Court, Chennai. No costs. Consequently, connected miscellaneous petition is closed.

07.11.2023

Index :Yes/No
Neutral Citation :Yes/No
AT

To
The VIII Assistant Judge City Civil Court, Chennai.



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T.V.THAMILSELVI, J.

AT

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C.M.P. No. 11393 of 2023

07.11.2023