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CRP. No. 2222 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2222 & 2225 of 2023
and CMP No. 13496 of 2023

Sarathambal (Died)

1.Urani @ Maharajan

2.Shanmugam @ Shanmugasundaram

...Petitioners in both petitions

Vs.

1.Shajathi

2.Velmurugan

3.Kala

4.Muthu

5.Sureshkumar

6.Kaliyaperumal

....Respondent in both petitions

PRAYER in CRP No. 2222 of 2023 : This petition filed under Article 227 of the Constitution of India, to set aside the order and decreetal order in I.A No. 2 of 2022 in O.S No. 51 of 2014 on the file of the learned Principal District Munsif, Ulunthurpet, Kallakurichi District, Dated 06.03.2023 as illegal, incompetent without jurisdiction and liable to be set aside.

PRAYER in CRP No. 2225 of 2023 : This petition filed under Article 227



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of the Constitution of India, to set aside the order and decreetal order in I.A No. 1 of 2022 in O.S No. 51 of 2014 on the file of the learned Principal District Munsif, Ulunthurpet, Kallakurichi District, Dated 06.03.2023 as illegal, incompetent without jurisdiction and liable to be set aside.

For Petitioner : Mr.M.Muruganantham
(in both petitions)

COMMON ORDER

These petitions have been filed to set aside the order and decreetal order in I.A No. 1 & 2 of 2022 in O.S No. 51 of 2014 on the file of the learned Principal District Munsif, Ulunthurpet, Kallakurichi District, Dated 06.03.2023

2. The petitioners herein filed I.A No. 1 & 2 of 2022 in O.S No. 51 of 2014 before the Trial Court to mark the additional documents in the said suit but the Trial Court dismissed the said application. Challenging the same, the petitioners filed this petition.

3. Heard the learned counsel for the petitioner.

4. On perusal of records, it reveals that the petitioners filed the above applications to mark the certain additional documents, the Trial Court dismissed the said applications stating that the petitioners were not assigned



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proper reasons to mark the documents. On seeing the facts of the case, if the opportunity is not given to the petitioner to mark those documents, his valuable right to defend the case will be defeated. Hence, the order passed by the Trial Court in I.A No. 1 & 2 of 2022 in O.S No. 51 of 2014 is set aside. Thus, I.A No. 1 & 2 of 2022 in O.S No. 51 of 2014 is allowed.

5. In the result, this Civil Revision petitions are allowed. No cost. Consequentially, connected miscellaneous petitions are closed.

13.12.2023

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To

The Principal District Munsif, Ulunthurpet, Kallakurichi District.

T.V.THAMILSELVI,J.



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