



C.R.P.Nos.2699 & 2700 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2023

CORAM

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

C.R.P.Nos.2699 & 2700 of 2019

and

C.M.P.Nos.17799 & 17800 of 2019

1.Arulmighu Ivar Rajakkal Swamy,  
Thirukovil Trust,  
Rep by its President Arumugam  
Pappini Village,  
Kangayam Taluk, Tirupur Distict.

2.Venkatachalam,  
Secretary,  
Pappini Village,  
Kangayam Taluk, Tirupur District.

3. Arumugam ..... Petitioners in both CRPs  
Vs

1.Rasappan  
2.Venkatachalapathy  
3.Vemalaiappan  
4.Subramaniyam ..... Respondents in both CRPs

**Common Prayer** :- Civil Revision Petitions are filed under Article 227 of Constitution of India to set aside the order and decreetal order dated 27.04.2019 passed by the learned Subordinate Court, Kangayam, Tirupur in I.A.Nos.913 & 914 of 2018 in O.S.No.440 of 2017.



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For Petitioners : No appearance

**COMMON ORDER**

These Civil Revision Petitions have been filed to set aside the order and decretal order dated 27.04.2019 passed in I.A.Nos.913 & 914 of 2018 in O.S.No.440 of 2017 on the file of the Subordinate Court, Kangayam, Tirupur District, thereby dismissing the petition to re-open the suit and recall D.W.1 for further cross examination.

2. The petitioners are the plaintiffs and the respondents are the defendants. The petitioners filed a suit for declaration and injunction. After completion of both side evidences, when the suit was posted for Judgment, the petitioners, being the plaintiffs, filed applications to re-open the suit and to recall D.W.1 for further cross examination. D.W.1 was already examined in full. In order to fill up the *lacunae*, when the suit was posted for Judgment, the petitioners filed petitions to re-open the suit and recall D.W.1 for further cross-examination. Therefore, the Court below rightly dismissed the petitions.

3. Hence, this Court finds no infirmity or illegality in the order



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dated 27.04.2019 passed in I.A.Nos.913 & 914 of 2018 in O.S.No.440 of 2017 on the file of the Subordinate Judge, Kangayam, Tirupur District.

Accordingly, these Civil Revision Petitions stand dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

**27.02.2023**

Index:Yes/No  
Internet:Yes/No  
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To

The Subordinate Judge,  
Kangayam, Tirupur District.

**G.K.ILANTHIRAIYAN, J.**



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