



C.R.P. No. 1329 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2023

CORAM:

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

C.R.P. No. 1329 of 2023

and

C.M.P. No. 8903 of 2023

V.P.Velmurugan,
S/o. Palanisamy

... Petitioner

Vs.

1. Mr. K.Manivannan,
S/o. Kaliappan

2. Mrs. M.Usha
W/o. K.Manivannan

.. Respondents

PRAYER : Civil Revision Petition filed under Art. 227 of Constitution of India, to set aside the order dated 14.10.2022 in I.A.No.445 of 2022 in O.S.No.231 of 2022 on the file of Principal District Munsif at Tirupur and allow the revision.



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WEB COPY For Petitioner : Mr.R.Selvakumar

ORDER

Challenging the impugned order passed in I.A.No. 445 of 2022 on the file of District Munsif, Tirupur, the plaintiff preferred this Civil Revision Petition.

2. However, the Registry says that it is an appealable order, but the contention of the Revision Petitioner is that though he has filed 28 documents before the trial court to prove his case, the same was not considered by the trial judge while dismissing the Interlocutory Application filed in I.A.No.445 of 2022 seeking for interim injunction.

3. On perusal of records, there is a mistake committed by the advocate with regard to marking of documents, for which, the litigant shall not be affected. In the said circumstances, without going into the merits of maintainability, in the interest of justice, this Court is inclined to set aside the order passed in I.A.No.445 of 2022 by the trial judge. However, liberty



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is granted to both parties to adduce the documents before the trial judge and thereafter, the trial judge is directed to dispose the application within a period of six weeks from the date of receipt of copy of this order. Accordingly, this Civil Revision Petition is allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

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Index : Yes / No
Internet : Yes / No
Speaking/Non-speaking order
rpp

To

Principal District Munsif, Tirupur.



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T.V.THAMILSELVI, J.

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