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C.R.P.No.3969 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2023

CORAM:

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

C.R.P.No.3969 of 2023

and

C.M.P.No.24369 of 2023

N.Jegathees

... Petitioner

-Vs-

Syed Ziaul Huq. M

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to allow the Civil Revision Petition and set aside the order of adjudication dated 22.09.2023 in RLTOP No.617 of 2021 on the file of learned XIII Judge, Court of Small Causes, Chennai.

For Petitioner

: Mr.V.Chandrakanthan



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ORDER

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Challenging the impugned order of adjudication made in RLTOP No. 617 of 2021 by the learned XIII Judge, Court of Small Causes, Chennai, the Revision Petitioner/tenant preferred this Civil Revision Petition.

2. Since the relief is claimed challenging the order passed by the trial judge, notice to the respondent is dispensed with.

3. The learned counsel for Revision Petitioner would submit that after the commencement of trial, the respondent herein was examined as P.W.1 and thereafter, the case was posted for orders on 07.08.2023. Thereafter, the case was posted for clarification on 22.09.2023. On that day, authorised person of petitioner was present. Heard petitioner side enquiry. Ex.P9 to Ex.P12 marked. To mark the said documents, memo was filed on the side of Revision Petitioner/respondent raising objections stating that after the case was reserved for orders, the respondent herein has no right to mark the documents. But without hearing his objections, the learned Rent Controller marked the documents. Aggrieved over the same, this Civil Revision Petition has been filed.



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4. Records perused. On perusal of e-court status, it reveals that the case is adjourned to 10.10.2023 for cross-examination of P.W.1/respondent herein. As on date, evidence was not closed. If at all, the Revision Petitioner has any objection with regard to marking of those documents, he can putforth those questions in the examination of P.W.1 by availing opportunity of P.W.1 cross. So, I do not find any merit in this Civil Revision Petition. However, mere marking of documents would not amount to admission of contents, which is settled proposition of law. Liberty is granted to the Revision Petitioner to cross-examine P.W.1. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

01.11.2023

Index : Yes/No
Speaking Order : Yes/No
rpp
To

The XIII Judge, Court of Small Causes, Chennai.



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T.V.THAMILSELVI, J.

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