



C.R.P.(P.D).Nos.3611, 3614 & 3618 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2023

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THE HONOURABLE MR.JUSTICE J. SATHYA NARAYANA PRASAD

C.R.P.(PD) Nos.3611, 3614 & 3618 of 2019

CRP.No.3611 of 2019

D.Visalakshi @ Visalakshi Devendran ... Petitioner

Vs

S. Selvaraj ... Respondent

Prayer :-

Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order in I.A.No.59 of 2019 in O.S.No.237 of 2008 on the file of the District Munsif Court, Tambaram dated 19.08.2019.

For Petitioners : Mr.Avinash Wadhwani
for M/s.V.Srimathi

For Respondents : Mr.N.Prakash
for M/s.Prasanth Rajagopalan



C.R.P.(P.D).Nos.3611, 3614 & 3618 of 2019

WEB COPY CRP.No.3614 of 2019

D. Visalakshi @ Visalakshi Devendran ... Petitioner

Vs

S. Selvaraj ... Respondent

Prayer :-

Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decretal order in I.A.No.1250 of 2018 in O.S.No.237 of 2008, on the file of the District Munsif Court, Tambaram dated 19.08.2019.

For Petitioners : Mr.Avinash Wadhwani
for M/s.V.Srimathi

For Respondents : Mr.N.Prakash
for M/s.Prasanth Rajagopalan

CRP.No.3618 of 2019

D. Visalakshi @ Visalakshi Devendran ... Petitioner

Vs

S. Selvaraj ... Respondent

Prayer :-

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C.R.P.(P.D).Nos.3611, 3614 & 3618 of 2019

Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order in I.A.No.58 of 2019 in O.S.No.237 of 2008 on the file of the District Munsif Court, Tambaram dated 19.08.2019.

For Petitioners : Mr.Avinash Wadhwani
for M/s.V.Srimathi

For Respondents : Mr.N.Prakash
for M/s.Prasanth Rajagopalan

COMMON ORDER

These Civil Revision Petitions are filed against the fair and decreetal order dated 19.08.2019 passed in IA.Nos.58 of 2019, 59 of 2019 & 1250 of 2018 respectively, in OS.No.237 of 2008 on the file of the District Munsif Court, Tambaram, whereby the applications filed by the petitioner to condone the delay in filing the document; to reopen the plaintiff's side evidence and to recall P.W.1 for further examination were dismissed.

2. Heard both sides and perused the materials available on record.

3. Admittedly, the petitioner had filed the suit for permanent



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injunction as early as in the year 2008 praying to restrain the defendant from interfering with her peaceful possession and enjoyment of the suit property and the same is pending before the Court below after conclusion of oral evidence. It is also seen that the respondent has also filed a suit and the said suit is also at the argument stage. After a lapse of 11 years, the petitioner has filed the present applications seeking to mark a document which was obtained by her only on 17.12.2018 and also sought to reopen the evidence of the plaintiff and to recall P.W.1 for further examination. The Court below, after hearing both sides, had rightly found that the document, namely, the bonafide certificate dated 14.12.2018 issued by Headmistress of Madras Seva Sadan Higher Secondary School, Tambaram in the name of the husband of the petitioner, sought to be marked by the petitioner is not at all relevant with the subject suit, as it is for permanent injunction restraining the document from interfering with the petitioner's peaceful possession and enjoyment of the property. It is also seen that the main suit itself is posted for arguments after conclusion of evidence on both sides. After a long slumber, the petitioner has now filed the present applications without giving any valid reasons or the relevancy of the same to the relief sought for in the



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main suit. Moreover, the petitioner has also failed to mark the document at the earlier instance. Therefore, the Court below has rightly dismissed the said applications finding no merits whatsoever. The learned counsel for the petitioner is also unable to explain before this Court the long delay in filing the present applications.

4. However, considering the fact that the main suits in O.S.No.237 of 2008 and O.S.No.55 of 2009 are pending for nearly more than 16 years, the Court below is directed to dispose of the suits as expeditiously as possible within a period of three months from the date of receipt of a copy of this order.

5. With the above observations, these Civil Revision Petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

12.12.2023

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Index: Yes/No

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Internet: Yes/No

Speaking Order: Yes/No

J. SATHYA NARAYANA PRASAD, J.

dpq

To

The District Munsif Court,
Tambaram.

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12.12.2023

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