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C.R.P(MD)Nos.1435 and 1436 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2023

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.R.P(MD)Nos.1435 and 1436 of 2023

and

C.M.P.(MD)Nos.7167 and 7168 of 2023

D.Ramesh

... Petitioner/1st Respondent/1st Defendant

Vs.

1.Abdul Aseem

2.Abdul Rasheeth

Koja Salaudin (Died)

3.Ameer Paathu

4.Hasan

5.Navas

... Respondents/2 to 5th Respondents/2 to 5th Defendants

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of Constitution of India, to set aside the fair and decreetal order, dated 23.03.2023 passed in I.A.Nos.6 and 7 of 2023 in O.S.No.566 of 2014 on the file of the learned 1st Additional District Munsif, Tirunelveli.

For Petitioner (in both C.R.Ps.) : Mr.R.M.Suresh

For Respondents(in both C.R.Ps.) : Mr.M.P.Senthil

COMMON ORDER

Though the case was listed under the caption 'for admission', the petitioner is not ready for arguing the case. By a common order, both the civil revision petitions are dispose of.



2.The petitioner is the first defendant in O.S.No.566 of 2014 before the District Munsif Court, Tirunelveli. The suit has been filed by the respondents 1 and 2 herein. The respondents 3 to 5 are the other defendants in the above suit along with the petitioner herein. The above suit has been filed by the first respondent herein for declaration and for an injunction against the petitioner herein. In the suit, the plaintiffs/respondents 1 and 2 herein have filed I.A.Nos.6 of 2023 and 7 of 2023 to recall P.W.1 for marking additional documents and to mark the documents as exhibits. Both the applications has been allowed by the impugned order.

3.The petitioner who is the first defendant challenges the same, stating that already written statement has been filed long before. After the commencement of the trial and after examination of P.W.1, the petitions have been entertained and ordered. That apart several submissions were made on merits, which are not relevant for disposal of the present civil revision petitions.

4.The impugned orders passed by the learned District Munsif, Tirunelveli allowing to reopen the evidence of P.W.1 and marking of additional document does not call for any interference. There is no merits in the present civil revision petitions. Therefore, the present civil revision petitions are dismissed. However, there shall be a direction to the learned I Additional District Munsif, Tirunelveli to dispose I.A.Nos.6 and 7 of 2023, as expeditious as possible preferably within



a period of nine months from the date of receipt of copy of this order.

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5. With the above observation, this Civil Revision Petitions are dismissed.

No Costs. Consequently connection miscellaneous petitions are closed.

26.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Mrn

To

1. The 1st Additional District Munsif, Tirunelveli.

2. The Section Officer
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN,J.

Mrn

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