



C.R.P.(MD)No.2661 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2661 of 2023
and
C.M.P.(MD).No.13874 of 2023

Periyasamy : Petitioner

Vs.

1.Karuppathal : Respondent

Palanisamy Gounder (Died)

Saravanan (Died)

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order passed in I.A.No.531 of 2023 in O.S.No.957 of 2022 on the file of the Sub Court, Oddanchatram, dated 31.08.2023.

For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.G.Sridharan



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ORDER

The Civil Revision Petition is directed against the order passed in I.A.No.531 of 2023 in O.S.No.957 of 2022, dated 31.08.2023 on the file of the Sub Court, Oddanchatram, allowing the petition filed under Order 16 Rule 5 C.P.C.

2.When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that in pursuance of the summon issued to the District Registrar, a staff attached to the District Registrar has appeared and he has been examined in chief as D.W.1 and he has also produced the originals under Ex.B.10 to Ex.B.13 and the same were compared with the copies already marked and the case has been posted for cross examination.

3.The learned counsel appearing for the respondent would submit that in order to prove that the sale agreement and documents in question are forged and fabricated, the District Registrar was summoned for



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production of the original proceedings under Ex.B.10 to Ex.B.13, which were received by the respondent in response to the application filed under RTI Act.

4.Since the staff attached to the District Registrar was already examined in chief and the case stand posted for cross examination, the Subordinate Court, Oddanchathiram, is directed to permit the petitioner to cross examine the D.W.1.

5.With the above direction, this civil revision petition is disposed of. No costs. Consequently, the connected civil miscellaneous petition is closed.

08.11.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
vsg



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- 1.The Sub Court, Oddanchatram.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

vsg

Order made in
C.R.P.(MD)No.2661 of 2023

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