



C.R.P.(MD)No.2788 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2788 of 2023

and

C.M.P.(MD)No.14569 of 2023

M.Ramakrishnan

... Petitioner/
Petitioner/
Plaintiff

Vs.

1. R.Ramesh @ Nagendran

2. J.Uma Maheswari

... Respondents/
Respondents/
Defendants

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order made in I.A.No.07 of 2023 in O.S.No.2158 of 2005 on the file of the Court 1st Additional District Munsif of Trichirappalli District by allowing this revision.

For Petitioner : Mr.R.Sureshkumar



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ORDER

The Civil Revision Petition is directed against the order passed in I.A.No.7 of 2023 in O.S.No.2158 of 2005 dated 16.08.2023 on the file of the I Additional District Munsif Court, Tiruchirappalli, dismissing the petition filed under Rule 75 of Civil Rules of Practice.

2. When the suit was in part-heard stage, the revision petitioner has filed an application in I.A.No.7 of 2023 under Rule 75 of Civil Rules of Practice seeking orders to send for the documents from the Assistant Director of Town and Country Planning, Tiruchirappalli District, The Assistant Commissioner of Thiruverumbur Zone No.III (East), Tiruchirappalli City Corporation (previously called as The Commissioner of Panchayat Union, Thiruverumbur Panchayat Union, Thiruverumbur) and The Deputy General Manager, Human Resources Department and the Corporate Office, Neyveli Lignite Corporation India Limited, Neyveli, Cuddalore District. The learned trial Judge by observing that the revision petitioner, without applying for the certified copies, has approached the Court directly and that the revision petitioner can very well get the



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certified copies with regard to document Nos.1 to 3, dismissed the petition.

3. It is pertinent to note that the suit is pending from 2005 and the suit is in part-heard stage.

4. Considering the above facts and circumstances and the nature of the documents sought for at this stage, the impugned order dismissing the petition cannot be found fault with.

5. At this juncture, the learned counsel appearing for the revision petitioner would submit that the revision petitioner is ready to apply and get the certified copies of the document Nos.1 to 3 and that since the suit is in part-heard stage, he is not in a position to get the certified copies at the earliest. He would further submit that the revision petitioner's daughter has expired yesterday and hence, he seeks time for getting the certified copies.

6. In the result, this Civil Revision Petition is dismissed. However,



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the revision petitioner is at liberty to apply for the certified copies of the document Nos.1 to 3 and for that purpose, the trial Court is hereby directed to give necessary adjournments not more than one month from today (01.11.2023). Consequently, connected Miscellaneous Petition is closed. No costs.

01.11.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

Note : Issue order copy on 07.11.2023

To

1. The I Additional District Munsif Court,
Tiruchirappalli.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
C.R.P.(MD)No.2788 of 2023
and
C.M.P.(MD)No.14569 of 2023

Dated : 01.11.2023