



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.02.2024

CORAM:

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

Rev. Appln. No. 37 of 2024

1.H.B.Arjunan
2.R.Sivakumar

...petitioners

Vs.

1.B.Chandran
2.R.Ravi

...Respondents

PRAYER : This petition has been filed under Section Order 47 Rule 1 of CPC, to allow this review petition and modify the order dated 22.12.2023 made in CRP No. 4967 of 2023.

ORDER

This review application has been filed to allow this review petition and modify the order dated 22.12.2023 made in CRP No. 4967 of 2023.



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2. The learned counsel for the petitioners submit that this Court has allowed the I.A no. 15 of 2023 and permitted the respondent to examine witnesses 1 to 13 in the list mentioned by the respondent, in which, 13th witness is RDO, Uthagamandalam, The Nilgiris but the said RDO is 4th defendant in the suit. Therefore, the respondents are not entitled to examine the 4th defendant as their witness. Hence, the petitioner filed this review application.

3. Admittedly, 13th witness in the list is RDO, Uthagamandalam, The Nilgiris, who is also the 4th defendant in the suit. Hence, the respondent can examine the witness 1 to 12 in the list mentioned by the defendant in I.A No. 15 of 2023. Further, if the 4th defendant failed to enter into the witness box, the Trial Court can draw interference against him/her and also the liberty is given to the respondent/defendant to summon the 4th defendant, if he will not appear.

4. Accordingly, this petition is closed. No costs.

29.02.2024



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To
The Section officer,
V.R. Section,
High Court, Madras.





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T.V.THAMILSELVI, J.

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