



C.R.P. (PD) No.2189 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

C.R.P. (PD) No.2189 of 2024

AND

C.M.P. No.11629 of 2024

S. Easwaran

.. Petitioner

Vs.

1. Vasantha

2. Muthusamy

.. Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India as against the fair and decretal order dated 18.10.2023 made in I.A. No.7 of 2023 in O.S.No.297 of 2020 on the file of the Principal District Munsif Court, Salem.

For Petitioner : Mr. V. Elangovan

For Respondents : Mr. K. Selvaraj

ORDER

This civil revision petition has been filed as against the fair and decretal order dated 18.10.2023 passed by the learned Principal District Munsif Court, Salem, in I.A. No.7 of 2023 in O.S.No.297 of 2020.



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2. The defendant in O.S.No.297 of 2020 has filed I.A.No.7 of 2023

before the learned Principal District Munsif, Salem, seeking to summon the Mallur police officials to produce the documents in respect of C.S.R.No.305/2020.

3. It is the contention of the learned counsel for the petitioner that the respondents have filed a suit in O.S.No.297 of 2020 on the file of the Principal District Munsif Court, for permanent injunction from interfering with their peaceful possession. As there was some dispute with regard to the purchase of a property between the petitioner and the respondents, the petitioner had lodged a complaint before the Mallur Police Station on 12.08.2020, alleging that his thumb impressions were forcibly obtained in blank papers on 27.06.2020 and thereafter, the same were used against him. The said complaint was registered as C.S.R.No.305/2020. The petitioner had filed an interlocutory application in I.A.No.7 of 2023 in O.S.No.297 of 2020 to prove the fact that his thumb impressions were forcibly obtained and hence, examination of the Mallaur police officials becomes necessary. But, the trial Court had dismissed the said interlocutory application, as against which, the present civil revision petition has been filed.



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4. In reply, the learned counsel for the respondents contended that based on the complaint lodged by the petitioner against the respondents, a C.S.R. was registered and the copy of the said complaint is very much available with the petitioner and he can very well produce the same.

5. In the said interlocutory application, three witnesses were examined and it is only a bare injunction suit and witnesses have been cross-examined in extenso. Further, the C.S.R. is of the year 2020 and it cannot be available now. In such view of the matter, finding no relevancy, the trial Court had dismissed the said interlocutory application.

6. In the light of the above discussion, this Court is not inclined to interfere with the order of the learned trial Judge and accordingly, this civil revision petition stands dismissed. No costs. Connected C.M.P. is closed.

29.07.2024

gya

Index : Yes/No

Neutral Citation : Yes/No



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To
The Principal District Munsif
Salem



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M. NIRMAL KUMAR, J.

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