



WEB COPY



C.R.P. No.401 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2024

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P.No.401 of 2022
and CMP.No.2086 of 2022

T.Annadurai

... Petitioner

Vs.

1.Rekha Devi

2.M.Kanniyappan

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India praying to set aside the fair and decreetal order dated 15.04.2021 passed in M.P.No.2/2020 in WP.No.1323 of 2018 on the file of the XIII Small Causes Court at Chennai District.

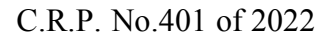
For Petitioner : No appearance

For RR1 and 2 : Mr.S.Ravichandran

ORDER

When the Civil Revision Petition was taken up for hearing on 26.02.2024, the learned counsel for the petitioner sought for short accommodation and therefore, it was specifically listed under the caption

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2. Even on merits, it is seen that the petition in M.P.No.2 of 2020 in P.No.1323 of 2018 has been filed for impleading the 2nd respondent as petitioner in RCOP.1323 of 2018. After detailed enquiry, the learned J, held that the petitioner has not adduced any materials on record documentary or oral evidence to substantiate their case. The learned J further held that the proposed 2nd respondent is not at all necessary, as scope of the RCOP proceedings is limited and the petitioner has to finish the case in the trial and not by filing the present M.P.

3. In my considered view, the order passed by the learned Judge, in M.P.No.2 of 2020 in RCOP.No.1323 of 2018 is perfectly in order and the same do not warrant any interference by this court.



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4. In view of the above discussion, the Civil Revision Petition is dismissed both on merits and for non-prosecution. No costs. Interim stay stands vacated.

04.03.2024

sk/nvsri

To

1.The Judge, XIII Small Causes Court
Chennai



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J.NISHA BANU,J.

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