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C.R.P.No.30 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.30 of 2024

K.R.Sivadhesikan

... Petitioner

Vs.

Smt.Ruckmani

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the order passed in I.A.No.7 of 2023 in R.C.O.P.No.106 of 2012 on the file of the 1st Additional District Munsif Court, Coimbatore dated 21.11.2023.

For Petitioner

: M/s.R.Pushpalatha
for Mr.C.Deivasigamani

ORDER

The Civil Revision Petition is filed challenging the order passed by the Court below dismissing the petition filed by the revision petitioner seeking



recall of R.W.1 for re-examination-in-chief.

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2. The respondent herein filed a rent control eviction petition against the petitioner in R.C.O.P.No.106 of 2012. In the said original petition, the evidence of respondent's side was closed and petitioner was examined as R.W.1. When the matter was adjourned by the Court below for continuation of R.W.1's examination-in-chief, the petitioner failed to appear before the Court and thereafter, a petition was filed by the petitioner seeking extension of time to pay cost imposed by Court and the same was dismissed. Aggrieved by the same, the petitioner preferred a revision in CR.P.Nos.525 and 526 of 2023 before this Court. The said civil revision petitions appeared to have been disposed with direction to afford the petitioner an opportunity to present himself for cross-examination. In pursuance of the said order passed in the revision petitions, the petitioner appeared as R.W.1 and he was cross-examined by the respondent's side. Thereafter, the present application has been filed by the petitioner seeking recall of R.W.1 for re-examination-in-chief. In the affidavit filed in support of the petition, the petitioner has not given any valid reasons for recall of R.W.1. Further, earlier the petitioner failed to appear



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before the Court. Therefore, his evidence was closed and on revision filed by the petitioner, the High Court appeared to have directed the petitioner to appear for cross-examination. Now, after cross-examination is over, the petitioner filed the present application for recall of R.W.1 for re-examination-in-chief without any valid reasons. Therefore, I do not find anything to interfere with the order passed by the Court below.

3. Accordingly, this Civil Revision Petition stands dismissed. No costs.

24.01.2024

Index : Yes / No
Internet : Yes / No
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To

The learned 1st Additional District Munsif Court, Coimbatore



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S.SOUNTHAR , J.

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