



C.R.P. (MD) No. 282 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

C.R.P. (MD) No. 282 of 2024

and

C.M.P. (MD) No. 1304 of 2024

Ravikumar

... Petitioner

-vs-

S.Agila (Late)

S.Acthata Sree

... Respondent

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, 1950, praying to set aside the fair and decreetal order passed by the Principal Sub Judge, Tiruchirappalli in I.A. No. 7 of 2023 in O.S. No. 886 of 2010 dated 01.11.2023.

For Petitioner : Mr. R.S.Sivaram

For Respondent : Mr. S.Sundaram

ORDER

Heard Mr. R.S.Sivaram, Learned Counsel for the Petitioner and Mr. S.Sundaram, Learned Counsel for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.



2. The Civil Revision Petition arises out of the order dated 01.11.2023 in I.A. No. 7 of 2023 in O.S. No. 886 of 2010 on the file of the Principal Sub-Judge, Tiruchirappalli (hereinafter referred to as the 'Trial Court' for short). The parties are hereinafter referred to as per their description in the suit in O.S. No. 886 of 2010 before the Trial Court for the sake of clarity and convenience.

3. When the case is taken up for hearing today, Learned Counsel appearing for the Second Defendant, on instructions, states that without prejudice to the rights of the Second Defendant, the recording of evidence of the parties before the Trial Court may be re-opened and completed expeditiously in furtherance to the impugned order in this Civil Revision Petition. He has also made an endorsement to that effect in the court record.

4. In view of the said submission made, the parties shall appear before the Principal Sub-Court, Tiruchirappalli on 15.04.2024 and if it is not possible to take up the matter on the said date, the Trial Court shall fix the next date of hearing under written acknowledgment of the parties. It shall be ensured that the parties with their respective Counsel shall attend the hearings and extend their co-operation for the disposal of the suit and there shall be atleast two effective hearings every month showing progress of the case and the Trial



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Court shall send monthly reports to the Registrar (Judicial) of this Court till the matter is finally disposed.

In the result, the Civil Revision Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

01.04.2024

Index : Yes/No
Internet : Yes/No

PKN/ta

To

1. The Principal Sub Court, Tiruchirappalli
2. The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

1. The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.



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2. Ravikumar

Represented by His Power Agent R. Mangalam

W/o. Rama Prasad, 1-146 TNHB,
Gandhi Gramam South, Senapiratti,
Pasupathipalayam, Karur District.

3. S. Acthaya

No. 9/19, Andal Nagar, Srirangam,
Trichy District.



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P.D. AUDIKESAVALU, J.

PKN/ta

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01.04.2024