



C.R.P(MD).No.598 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.R.P(MD)No.598 of 2024

and

C.M.P(MD)No.2974 of 2024

1.Nambu Kuppammal

2.Panjammal

3.Pitchaiammal

4.Parvatham

... Petitioners / Petitioners / Plaintiffs

Vs

1.The Rameshwaram Municipality,
represented by its Commissioner,
Rameswaram Municipality,
Rameswaram Post, Ramanathapuram District.

2.The Ramco Cements Ltd Company
represented by its Executive Manager,
Rajapalayam,
Virudhunagar District. ... Respondents / Respondents / Defendants

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records relating to the fair and



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decreetal order passed in I.A.No.3 of 2023 dated 05.10.2023 in O.S.No. 39 of 2021 on the file of the learned Principal District Judge, Ramanathapuram District and set aside the same.

For Petitioner : Mr.R.Jegadeewaran

ORDER

This Civil Revision Petition is filed to call for the records relating to the fair and decreetal order passed in I.A.No.3 of 2023 dated 05.10.2023 in O.S.No.39 of 2021 on the file of the learned Principal District Judge, Ramanathapuram District and set aside the same.

2. The suit in O.S.No.39 of 2021 was filed by the petitioners for declaration and injunction. Evidence on both sides were over and the suit is posted for arguments. At this stage, a petition was taken out by the petitioner to reopen the evidence that was already closed. That petition was dismissed by the trial Court stating that no proper application has been filed along with the reopen petition for further process. Challenging the order, this Civil Revision Petition has been preferred.



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3. Learned counsel for the petitioner would submit that since he wants to produce legal heir certificate of one Ramalinga Konar, he filed a petition to reopen the evidence. Since it was filed without filing proper application seeking condone delay and recall of P.W.1., the above said application came to be dismissed.

4. I find absolutely no illegality in the order of the trial Court. However, liberty is granted to the petitioner to file fresh application along with necessary application as noted above.

5. With the above liberty and direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

05.03.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No

Note: Issue order copy on **06.03.2024**

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G.ILANGOVA, J.

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To

- 1.The Principal District Judge, Ramanathapuram District.
- 2.The Record Keeper, Vernacular Records,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
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and
C.M.P(MD)No.2974 of 2024

05.03.2024