



C.R.P. (PD)(MD).Nos.1339 to 1341 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(PD)(MD)Nos.1339 to 1341 of 2024

and

C.M.P(MD) Nos.7765 to 7767 of 2024

C.R.P(MD) No.1339 of 2024:

1. O.M.Anbalagan
2. Lakshmi

... Petitioners/Defendants

-vs-

1. Chellammal
2. Ponnusamy
3. Chidambaram

... Respondents/ Plaintiffs

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 22.12.2023 on the file of the District Munsif Court, Thuraiyur in I.A.No.14 of 2023 in O.S.No.34 of 2008.

For Petitioners : Mr.A Arumugam



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C.R.P(MD) No.1340 of 2024:

1. O.M.Anbalagan
2. Lakshmi

... Petitioners/Defendants

-VS-

1. Chellammal
2. Ponnusamy
3. Chidambaram

... Respondents/ Plaintiffs

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 22.12.2023 on the file of the District Munsif Court, Thuraiyur in I.A.No.13 of 2023 in O.S.No.34 of 2008.

For Petitioners : Mr.A Arumugam

C.R.P(MD) No.1341 of 2024:

1. O.M.Anbalagan
2. Lakshmi

... Petitioners/Defendants

-VS-

1. Chellammal
2. Ponnusamy
3. Chidambaram

... Respondents/ Plaintiffs



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PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 22.12.2023 on the file of the District Munsif Court, Thuraiyur in I.A.No.12 of 2023 in O.S.No.34 of 2008.

For Petitioners : Mr.A Arumugam

COMMON ORDER

The present Civil Revision Petitions have been filed by the defendants in O.S.No.34 of 2008, on the file of the District Munsif Court, Thuraiyur, challenging the orders, wherein, the request for recall, reopen and for marking of documents has been rejected.

2. The respondents herein as plaintiffs have filed the above suit for the relief of permanent injunction. When the evidence on either side was closed and it was posted for arguments, the defendants have filed I.A.Nos.12 to 14 of 2023 seeking to mark a settlement deed said to have been executed by them in favour of their son on 24.12.2019. In order to mark the said document, they wanted to reopen the defendants' side evidence and to recall DW -1. These three applications have been dismissed by the trial Court. Challenging the same, the present Civil Revision Petitions have been filed.



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3. According to the learned counsel appearing for the revision petitioners, the only request of the defendants is to mark the settlement deed executed by the defendants in favour of their son on 24.12.2019. Hence, a chance may be granted to the defendants to mark the said documents.

4. I am of the considered opinion that the settlement deed has been executed by the defendants in favour of their son on 24.12.2019 after the cross-examination of D.W.1 was over. Therefore, the marking of the said document is not in any way going to help the defendants in order to defend the present suit.

5. Considering the fact that the suit is pending from the year 2008 and it is posted for arguments, when the present applications came to be filed, this Court does not find any merits in these Civil Revision Petitions.



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6. Accordingly, these Civil Revision Petitions stand dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

25.06.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To
1. The District Munsif Court,
Thuraiyur.



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R.VIJAYAKUMAR,J.

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