



C.R.P.(MD)No.1475 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 23.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.1475 of 2024

and

C.M.P.(MD)No.8731 of 2024

C.Chella Basker

... Petitioner/Petitioner/Plaintiff

Vs.

- 1.Lilly Joyace
- 2.Jospeh Samraj
- 3.Kantha Leela
- 4.Saraswathi
- 5.Ganesa Murugan
- 6.V.L.V.S.Kanakaraj
Seenivasagam (Died)
Gnanamuthu (Died)
- 7.Jeyaseelan
- 8.Vasanthi
Chandira (Died)
- 9.Chellaiah
- 10.Selvin
- 11.Kamalaveni
- 12.Ranjitham
- 13.Piyula Helan



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14.Premsanth

15.Jebastiyani

16.Regina

17.Arputharaj

18.Navamani

19.Simson

20.Kalins

21. Gunasekaran ... Respondents/Respondents/ Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 05-06-2024 made in I.A.No.28 of 2024 in O.S.No.316 of 2011 on the file of the Additional District Munsif, Sankarankovil and allow the revision.

For Petitioner : Mr.D.Rajkumar

For Respondents : Mr.S.Malaikani for R1 & R2.
Mr.F.X.Eugene for R3, R4 & R6
Mr.S.Thiagarajan for R9, R10, R12 to R21

* * *

ORDER

The plaintiff in O.S.No.316 of 2011 on the file of the Additional District Munsif Court, Sankarankovil is the revision petitioner herein. He filed I.A.No.28 of 2024 for recalling as many as six official witnesses. Vide order



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dated 05.06.2024, the said I.A. was dismissed. Challenging the same, this civil revision petition came to be filed.

2.Heard the learned counsel on either side.

3.Paragraph No.20 of the impugned order clearly mentions that without taking steps to send for and summon the documents from the office of the jurisdictional Tashildar, no purpose will be served in re-examining the witnesses. This reason given by the Court below is well founded. It is for the petitioner to take appropriate steps to send for and summon the documents as mentioned in Paragraph No.20 of the impugned order. Since the aforesaid reason is well founded, I decline to interfere with the impugned order.

3.With the aforesaid liberty, the civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

23.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.R.SWAMINATHAN, J.

ias

To:

The Additional District Munsif Court,
Sankarankovil.

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23.08.2024
(1/2)