



C.R.P(PD)(MD)Nos.1629 and 1630 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

C.R.P(PD)(MD)Nos.1629 and 1630 of 2024

and

CMP(MD)No.9561 of 2024

P.Gnana Rajan

... Petitioner/Petitioner/7th Defendant
in both petitions

VS.

Jehova Exim Private Limited,
Having its registered office
at No.218, V.G.P.Nagar,
Mugappiar West,
Chennai-37.

Represented by
Director Ramasundram

... Respondent/Respondent/Plaintiff
in both petitions

Common Prayer:- Civil Revision Petitions filed under Article 227 of the Constitution of India, to set aside the fair order and decretal order dated 30.08.2023 passed in I.A.No.16 of 2023 in O.S.No.538 of 2011 on the file of the II Additional District Munsif Court, Nagercoil.

In both petitions:

For Petitioner : Mr.N.Pragalathan



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COMMON ORDER

The Civil Revision Petitions are filed as against the order dated 30.08.2023 made in I.A.Nos.15 and 16 of 2023 in O.S.No.538 of 2011 on the file of the II Additional District Munsif Court, Nagercoil.

2.The learned counsel for the petitioner would contend that when the relevant documents are produced by the petitioner, the trial Court ought to have given an opportunity. When the pleadings regarding the documents are already taken and the plaintiff's side has also been cross examined, merely because the documents were not produced in the first instance, the same should not be shunted out. The production of the said documents are relevant to the proper and comprehensive decision on the *lis*. Therefore, he would submit that this Court should interfere.

3.I have considered the said submissions made on behalf of the learned counsel for the petitioner and perused the material records of the case.



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4.As a matter of fact, the trial Court considered the fact that originally when the defendant filed a written statement, no documents were produced. However, when the defendant's side evidence came, after the evidence commenced, once again an application was filed to recall and reopen the defendant's side evidence and along with the same an interlocutory application was filed for the production of documents. The same was also allowed by passing a conditional order. Thereafter, the said documents are marked. The defendant was again examined. The trial Court also found that from 23.06.2023, the case was being posted for further evidence of the defendant after cross examination of DW1. After taking adjournment on several occasions, the present petition is filed. The trial Court, therefore, found that at the fag end of the trial, the defendant cannot be permitted to introduce documents on piecemeal basis and also further found that the same is only to drag on the proceedings.

5.The reasonings of the trial Court cannot be termed as erroneous in law or on facts. When the trial Court considered the overall facts and circumstances of the case and considering the fact that the suit is of the year 2011, and has disallowed the application, I see no compelling



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reason to interfere, especially, when the suit is at the fag end of the trial.

Therefore, finding no merits, these Civil Revision Petitions are dismissed.

No costs. Consequently, connected miscellaneous petition is closed.

23.07.2024

NCC : Yes / No
sjj

To

The II Additional District Munsif Court, Nagercoil.



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D.BHARATHA CHAKRAVARTHY, J.

sjj

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