



**C.R.P(MD)No.2583 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

**DATED : 21.10.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**C.R.P(MD)No.2583 of 2024**  
**and**  
**C.M.P(MD)No.14939 of 2024**

S.Gopalakrishnan

... Revision Petitioner /  
Petitioner /  
Defendant

Vs.

R.Vijayaragavan

... Respondent /  
Respondent /  
Plaintiff

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, against the dismissal orders passed by the learned Additional District Judge, Aruppukottai in I.A.No.7 of 2024 in O.S.No. 11 of 2022, dated 25.09.2024 for the following grounds among other grounds.

For Petitioner : Mr.S.Rengasamy

**ORDER**

Heard the learned counsel appearing for the revision petitioner.



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2.The revision petitioner is the defendant in O.S.No.11 of 2022 on the file of Additional District Judge, Virudhunagar. The respondent herein filed the said suit for recovering a sum of Rs.16,16,500/- from the petitioner herein. In the said suit, the petitioner filed I.A.No.6 of 2024 for reopening the evidence and I.A.No.7 of 2024 for recalling PW.1 for further cross examination. The said IAs were dismissed vide order dated 25.09.2024. Challenging the same, this Civil Revision Petition came to be filed.

3.The learned counsel appearing for the revision petitioner reiterated all the contentions set out in the memorandum of grounds of Civil Revision Petition and called upon this Court to set aside the impugned order and grant relief as prayed for.

4.I am not swayed by the submissions of the learned counsel for the revision petitioner. The suit is one for recovery of money. The plaintiff was already examined and he had also been cross examined. The defendant also examined himself as DW.1. On completion of the defendant's evidence, on the side of the plaintiff, written arguments were



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filed as early as on 20.11.2023. The matter is being adjourned from time to time only to enable the defendant to advance his arguments. When the plaintiff was in the witness box it was incumbent for the defendant to have cross examined him fully. After completing his side, it is not open to the defendant to now seek recall PW.1 on the ground that certain vital questions were omitted to be put.

5.The Court below rightly took that view that the defendant wants to drag on the proceedings. Interference with the impugned order is not warranted.

6.This Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**21.10.2024**

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

MGA

To

The Additional District Judge,  
Aruppukottai.

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