



C.R.P(MD)No.3045 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.12.2024**

CORAM

**THE HON'BLE MRS.JUSTICE K.GOVINDARAJAN
THILAKAVADI**

C.R.P(MD)No.3045 of 2024

and

C.M.P(MD)No.17351 of 2024

Sankarankovil Municipality,
Represented by its Commissioner,
Thiruvenkadam Road,
Sankarankovil Cusba,
Sankarankovil Taluk.

... Petitioner

Vs.

Vivekanandhan

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order, dated 13.03.2024 passed in I.A.No.10 of 2023 in O.S.No.22 of 2013 on the file of the Subordinate Court, Sankarankovil.

For Petitioner : Mr.M.Rajarajan



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ORDER

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This Civil Revision Petition is preferred as against the order passed in I.A.No.10 of 2023 in O.S.No.22 of 2013 on the file of the Subordinate Judge, Sankarankovil.

2. The suit in O.S.No.22 of 2013 on the file of the Subordinate Court, Sankarankovil was filed by the respondent seeking for the relief of declaration of title, permanent injunction and for mandatory injunction to remove the road laid on the second schedule of the property.

3. According to the revision petitioner, the application in I.A.No. 10 of 2023 is for re-calling P.W.1 for further cross-examination for marking a document gifted by the predecessor in title of the respondent to the Municipality. However, the Trial Court dismissed the said application. Against which, the present revision is preferred.

4. The alleged gift deed claimed by the revision petitioner was executed in favour of the defendant. While so, the revision petitioner can



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mark the above document through their witness instead of recalling
P.W.1 for confronting the above document.

5. With this observation, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

04.12.2024

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

To

The Subordinate Court,
Sankarankovil.



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K.GOVINDARAJAN THILAKAVADI, J.

BTR

Order made in
C.R.P(MD)No.3045 of 2024

04.12.2024