



C.R.P.(MD)No.3419 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.3419 of 2023
and
C.M.P.(MD)No.17617 of 2023

1.K.Baskaran

2.Dhanalakshmi

3.Muthuselvi

4.Ramprabhu

5.Radha

... Petitioners / Petitioners / Plaintiffs

Vs.

R.Dhandapani

... Respondent / Respondent / Defendant

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and executable order dated 09.10.2023 passed in the application in I.A.No.1 of 2023 in O.S.No.251 of 2022 on the file of the Subordinate Court, Melur and allow the same.

For Petitioners : Mr.J.Barathan

For Respondent : Mr.D.Balamurugapandi



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ORDER

Heard both sides.

2. The plaintiffs in O.S.No.251 of 2022 on the file of the Sub Court, Melur are the revision petitioners herein. They filed I.A.No.1 of 2020 under Order 7 Rule 14(3) of C.P.C to receive the additional documents. I.A was dismissed vide order dated 09.10.2023. Questioning the same, the civil revision petition came to be filed.

3. The court below had dismissed IA on the ground that the petition has been filed to prolong the proceedings. The court below also had some doubt regarding the genuineness of the document now sought to be produced as additional document. The approach of the court below cannot be faulted. Now the petitioner's counsel states that the petitioners would produce either the original document or the certified copies of the same. Since such statement has been made before me, the order impugned in the civil revision petition is set aside. The suit is now posted for cross examination of P.W.1. P.W.1 is permitted to mark the petition mentioned additional document provided they are the certified copies or the original document. Marking would be subject to proof and relevancy. All the defences of the defendant are left open.



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4. The Civil Revision Petition is allowed accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

12.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
rmi

To:

The Subordinate Court, Melur.



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G.R.SWAMINATHAN, J.

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