

C.R.P. (PD) No.1014 of 2025

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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 12.03.2025

CORAM:

THE HONOURABLE MS. JUSTICE P.T.ASHA

C.R.P. (PD) No.1014 of 2025

and

C.M.P.No.5887 of 2025

Periyasamy

...Petitioner

Vs

Palaniyandi

...Respondent

PRAYER: Civil Revision Petition filled under Article 227 of Constitution of India to set aside the order dated 05.12.2024 passed in I.A.No.6 of 2024 in O.S.No.62 of 2022 pending on the file of the Principal District and Sessions Court, Perambalur.

For Petitioner

: Mr.G.Krishna Kumar



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ORDER

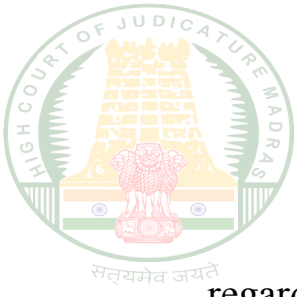
The petitioner / defendant seeks to challenge the order passed by the learned Principal District Judge, Perambalur District in and by which his petition seeking a direction to the respondent / plaintiff to answer the interrogatories had been dismissed.

2. The petitioner had raised two interrogatories.

(i) The details of the account that the plaintiff has with the State Bank of India, Ariyalur Branch from where he would state that a sum of Rs.10,00,000/- had been withdrawn on 01.09.2019.

(ii) To provide details of the telephone number which is linked to this bank account.

3. The records would indicate that originally the petitioner had filed I.A.No.4 of 2024 seeking a direction to the respondent/plaintiff to produce his passbook containing entries



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regarding the withdrawal of money on the date of the alleged promissory note. This application was dismissed on 28.03.2024 against which the petitioner herein had filed C.R.P.No.1203 of 2024. and this Court, by order dated 28.03.2024, had dismissed the revision. However, the learned Judge had observed that it is open to the petitioner to issue notice to produce the document, if so advised. Pursuant to this order, I.A.No.6 of 2024 was filed seeking to answer the interrogatories. The said application was dismissed. Challenging the same, the petitioner is before this Court.

4. It is informed that the Bank Manager has already appeared before the trial Court and stated that without the account details and other documents, he will not be able to furnish the respondent's bank statement.

5. Considering the fact that the Bank Manager of State Bank of India, Ariyar Branch has already been summoned as a witness, it is



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well open to the petitioner to ask him to produce the relevant document, particularly when the witness has stated that he would be able to produce the documents only if correct particulars are furnished to him. Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

12.03.2025

Index: yes/no

Speaking Order: Yes/No

srn

To

The Principal District and Sessions Court, Perambalur.



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P.T.ASHA, J.

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12.03.2025