



C.R.P.No.1704 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

C.R.P.No.1704 of 2025
and C.M.P.No.9840 of 2025

A.Manikandan

... Petitioner

Vs

Sudantharadoss (Died)

Santhoshkumar

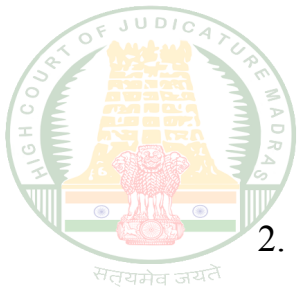
... Respondent

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, pleased to set aside the order dated 30.01.2025 made in I.A.No.7 of 2024 in RCOP.No.31 of 2018 on the file of the Principal District Munsif Court, Coimbatore.

For Petitioner : Mr.N.Krishnakumar

ORDER

This Civil Revision Petition has been filed against the order passed by the Principal District Munsif Court, Coimbatore, in I.A.No.7 of 2024 in RCOP.No.31 of 2018 on 30.01.2025.



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2. The brief facts of the case are that the petitioner is the tenant and the respondent is the landlord. The father of the respondent had filed a petition in RCOP No.31 of 2018 before the Principal District Munsif Court, Coimbatore seeking to evict the petitioner/tenant from the petition mentioned property and to direct him to vacate and deliver the vacant possession to the landlord. In which, the petitioner herein had filed an application in I.A.No.7 of 2024 under Order 151 of CPC seeking to re-open the respondent side evidence for the purpose of adducing evidence on the part of the respondent side. The learned Judge, finding that the petitioner had filed the application only protract the proceedings, had dismissed the application vide order dated 30.01.2025. Challenging the same, the present Civil Revision Petition has been filed.

3. Learned counsel appearing for the petitioner submitted that the petitioner had filed an application only to re-open the respondent side evidence for the purpose of adducing evidence on the part of the respondent side, however, the Court below erred in dismissing the application. He further submitted that if a chance is not given to the petitioner, the right of the petitioner would be affected. Hence, he prayed to set aside the order dated 30.01.2025.



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4. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

5. On perusal of records, this Court is able to see that the RCOP petition was filed by the father of the respondent in the year 2018 and the petitioner was earlier set ex parte on 17.07.2018. When the case was posted for recording the evidence of PW1, the petitioner had filed the set aside petition on 02.11.2018 and the same was allowed on 08.12.2020. Thereafter, the petitioner and the respondent side side evidence closed on 23.06.2023 and 28.10.2024 respectively and the matter had been posted for arguments on 05.11.2024. During which, the petitioner had come with the application to re-open the respondent side evidence for the purpose of adducing evidence on the part of the respondent side and the trial Court, finding that the reason stated in the petition is not bonafide and no supporting documents were adduced by the petitioner and there is no merit in the petition, dismissed the same. It is also seen that number of adjournments had been taken by the petitioner and further, the application in question was dismissed on 30.01.2025, order copy made ready as early as on 14.03.2025 and the petitioner has filed the present



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revision petition only on 17.04.2025, which shows the lethargic attitude of the petitioner.

6. In view of the above, this Court is of the view that there is no merits in this revision petition and this Court does not find any illegality or infirmity in the order passed by the learned Principal District Munsif, Coimbatore. Accordingly, the Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

24.04.2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To

1. The Principal District Munsif Court, Coimbatore.
2. The Section Officer,
VR Section, High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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24.04.2025