



C.R.P.(MD)Nos.2294 & 2310 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)Nos.2294 & 2310 of 2025

and

C.M.P.(MD)No.13844 of 2025

RM.Ramasamy

...Petitioner in both C.R.Ps.

Vs.

Radhakrishnan

...Respondent in both C.R.Ps.

COMMON PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India, praying to set aside the fair and decreetal orders dated 06.08.2025 made in I.A.Nos.5 & 4 of 2025 in O.S.No.249 of 2014, respectively, on the file of the 4th Additional Sub Court, Trichy and allow the applications in I.A.No.5 & 4 of 2025 in O.S.No.249 of 2014, on the file of the 4th Additional Sub Court, Trichy by allowing these Civil Revision Petitions.

For Petitioner

: Mr.K.K.Senthil

[In both C.R.Ps]



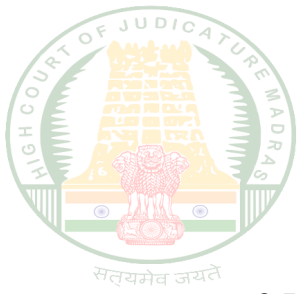
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COMMON ORDER

These petitions have been filed seeking to set aside the fair and decreetal orders dated 06.08.2025 made in I.A.Nos.5 & 4 of 2025 in O.S.No.249 of 2014, respectively, on the file of the 4th Additional Sub Court, Trichy.

2.Learned Counsel for the petitioner would submit that the petitioner is the plaintiff in O.S.No.249 of 2014. The suit was filed by the petitioner for dissolution of partnership business and for consequential relief of rendering the accounts to the petitioner / plaintiff and payment of the plaintiff's share of the profits of the accounts so estimated through the process of court, by appointing a Commissioner and for payment of such amount of profits for the period from 01.04.2000 till the date of filing of the suit. After completion of the plaintiff and defendant side evidences, the petitioner filed I.A.Nos.4 and 5 of 2025, under Sections 151 of CPC, for reopening the case for cross examination of D.W.1 evidence and under Order 18 Rule 17 r/w. Section 151 of CPC, for re-calling the D.W.1 for cross examination. Both the said I.As. were dismissed by the trial Court. Challenging the same, the present Civil Revision Petitions have been filed.



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3.Learned Counsel for the petitioner would submit that the petitioner and the respondent are partners in the business and for dissolution of the partnership business, the present suit in O.S.No.249 of 2014 has been filed. However, through the accounts, the petitioner needs to cross examine D.W.1. Effectively, since the same was not done by his Counsel. For the said purpose, the petitioner has filed the above I.As. but those petitions were dismissed by the trial Court. Accordingly, he prays for appropriate orders.

4.Since no adverse orders are going to be passed by this Court, notice to the respondent is dispensed with.

5.This Court has perused the impugned orders. A perusal of the impugned orders reveal that after completion of the evidence and arguments, the case has been posted for further arguments. At that stage, the petitioner has filed I.A.Nos.5 and 4 of 2025, for re-calling D.W.1 and for re-opening the case for cross examination of D.W.1 evidence, respectively. Admittedly, the suit was filed in the year 2014 and the suit is now posted for further arguments. Recalling D.W.1 evidence at this stage is unwarranted. Only for the purpose of dragging on the proceedings, the present I.As. have been filed, which fact has



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been rightly appreciated by the trial Court and the trial Court has rightly dismissed those petitions and this Court does not find any reason to interfere with the orders passed by the trial Court.

6. Accordingly, these Civil Revision Petitions stand dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

20.08.2025

Internet: Yes/No

Index: Yes/No

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To

1.The 4th Additional Sub Court,
Trichy.

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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