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REV.APLC.(MD)NO.156 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

REV.APLC.(MD)No.156 of 2024 in
C.R.P.(MD)No.3419 of 2023

R.Dhandapani

... Petitioner / Respondent

Vs.

1. K.Baskaran

... 1st Respondent / Revision petitioner

2. Dhanalakshmi

3. Muthuselvi

4. Ramprabhu

5. Radha

... Respondents 2 to 5 / Respondents 2 to 5

Prayer: Review petition filed under Order 47 Rule 1 and 2 and Section 114 CPC., to review the order passed by this Court in C.R.P.(MD)No.3419 of 2023 on the file of this Court dated 12.09.2024.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Mr.J.Barathan

* * *



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ORDER

The respondent in C.R.P.(MD)No.3419 of 2023 has filed this review application. The learned counsel for the review applicant submits that by virtue of this order dated 12.09.2024 passed by this Court, evidence without any foundation of pleadings is sought to be introduced. The learned counsel for the review applicant points out that it is a basic principle of law that without pleadings, no amount of evidence will be looked into or considered. As a proposition of law, I endorse the aforesaid contention. In fact in paragraph No.3 of the order, I had specifically held that marking would be subject to proof and relevancy and that all the defences of the defendant are left open. It is always open to the defendant to argue before the Court below that the evidence adduced by the plaintiff should not be looked into or considered.

2. With the aforesaid clarification, this review application is disposed of. No costs.

07.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN,J.

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