

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(PD)No.1661 of 2015 &

M.P.No.1 of 2015

1.Muniyammal

2.Mathammal

3.Sivan

... Petitioners

v.

1.Thirupathiyammal

2.Perumal

3.Thangavel

4.Appadurai

5.Murugammal

6.Deivanai

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 13.03.2015 in I.A.No.32 of 2015 in O.S.No.45 of 2012 on the file of Principal District Court, Dharmapuri.

For Petitioners : Mr.S.Kaithamalaikumaran

O R D E R

Challenging the fair and final order passed in I.A.No.32 of 2015 in O.S.No.45 of 2012 on the file of Principal District Court, Dharmapuri the plaintiffs have filed the above Civil Revision Petition.

2. The plaintiff filed the suit in O.S.No. 45 of 2012 for partition, separate possession and for other reliefs. The defendants filed their written statement denying the plaint averments. Thereafter, the plaintiffs filed an application in I.A.No.32 of 2015 seeking to receive the reply statement filed along with the application.

3. On a perusal of the reply statement filed by the plaintiffs, it could be seen that the plaintiffs have denied the case of the defendants. Apart from denying the case of the defendants, the plaintiffs has not stated any other thing in the reply statement. In these circumstances, the Trial Court has rightly dismissed the application finding that the case of the parties can be established at the time of trial and the denial by the plaintiffs is unwarranted.

4. The order passed by the Trial Court is just and proper. I do not find any error or irregularity in the order passed by the Trial Court. The Civil Revision Petition is devoid of merits and is liable to be dismissed.

Accordingly, the Civil Revision petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed. .

02.06.2015

Index : No
Internet : Yes

Rj

To

The Principal District Court,
Dharmapuri

M. DURAISWAMY,J.,

Rj

C.R.P.(PD)No.1661 of 2015 &

M.P.No.1 of 2015

02.06.2015