

In the High Court of Judicature at Madras

Dated : 19.1.2015

Coram :

The Honourable Mr.Justice V.RAMASUBRAMANIAN

Civil Revision Petition (PD) No.4813 of 2014 and M.P.No.1 of 2014

1.K.Kumar

2.Master K.Subash

...Petitioners

Vs

Mrs.Lakshmi

...Respondent

PETITION under Article 227 of The Constitution of India against the fair and final orders dated 29.11.2013 passed in I.A.No.11544 of 2013 in O.S. No.8192 of 2011 on the file of the learned Sixth Assistant Judge, City Civil Court, Chennai.

For Petitioners : Mr.K.B.Arul

ORDER

The petitioners, who are the defendants in a suit for partition, have come up with the above civil revision petition, challenging an order passed by the Trial Court allowing an application under Order VII Rule 14(3) of the Civil Procedure Code, for filing additional documents.

2. Heard Mr.K.B.Arul, learned counsel for the petitioner.

3. The respondent filed a suit in O.S.No.8192 of 2011 on the file of the Sixth Assistant Judge, City Civil Court, Chennai for partition. The case of the respondent/plaintiff was that she is the sister of the first petitioner herein.

(2)

V.RAMASUBRAMANIAN,J
RS

4. It appears that the respondent/plaintiff was examined as P.W.1. During cross examination, the relationship of the plaintiff with the first petitioner herein itself was questioned on the ground that they were not born to the same father. Therefore, the respondent/plaintiff filed an application in I.A.No.11544 of 2013 for filing the photographs and the marriage invitation as additional documents. This application was allowed by the Trial Court, forcing the defendants to come up with the above revision petition.

5. I do not think that there are any valid grounds to interfere with the order of the Trial Court. The suit is one for partition. The additional documents sought to be filed relate only to the relationship.

6. Therefore, the civil revision petition is dismissed. Consequently, the above MP is also dismissed.

7. However, the actual marking of the documents will be subject to proof and admissibility.

19.1.2015

Internet : Yes

To
The Registrar, City Civil Court, Chennai.

CRP(PD)No.4813 of 2014
and MP.No.1 of 2014