

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.07.2015

CORAM

THE HONOURABLE MR. JUSTICE M. DURAISWAMY

C.R.P.(PD)Nos.2454, 2455 & 2456 of 2015 &

M.P.No.1 of 2015 in

C.R.P.(PD)No.2454 of 2015

J.V.H.Metcut (P) Ltd.,
Rep. By its Managing Director,
J.v.Harinath

... Petitioner in all CRPs

v.

V.N.Venkaeswara Rao

... Respondent in all CRPs

Civil Revision Petitions filed under Article 227 of the Constitution of India, to set aside the order dated 18.07.2014 made in I.A.Nos. 9485, 9486 and 9487 of 2014 in O.S.No.1686 of 2010 on the file of XVI Assistant City Civil Court at Chennai.

For Petitioner : Mr. C.Saravanan

For Respondent : Mr.R.Krishnasamy
for Mr.P.S.Baskar
for Caveator

COMMON ORDER

Challenging the fair and final orders passed in I.A.Nos. 9485, 9486 and 9487 of 2014 in O.S.No.1686 of 2010 on the file of XVI Assistant Judge, City Civil Court, Chennai, the defendant has filed the above Civil Revision Petitions.

2. The plaintiff filed the suit in O.S.No.1686 of 2010 for recovery of money being the unpaid salary for the period from April 1997 to December 2000 together with interest. The said suit was filed in the year 2010. The defendant filed their written statement on 21.09.2010. Thereafter, the matter was taken up for trial by the Trial Court and after the completion of the oral evidence and after the completion of the arguments on the side of the plaintiff, the defendant filed the applications in I.A.Nos. 9485, 9486 and 9487 of 2014 to reopen, to recall P.W.1 and D.W.1 and to permit them to file additional written statement. The applications were contested by the plaintiff stating that the applications were filed at a belated stage.

3. When the defendant filed their written statement in the year 2010, they took 4 years for filing the applications seeking permission of the court to file additional written statement, that too, after the completion of the plaintiff's arguments in the suit.

4. The learned counsel appearing for the respondent submitted that the plaintiff's side arguments was heard twice before the Trial Court and at that stage, the defendant has filed the present application.

5. Since the applications were filed at a belated stage, the Trial Court has rightly dismissed the applications. That apart, the evidences of both sides were closed and after hearing the arguments on the side of the plaintiff, if the matter is reopened and the witnesses were recalled, it would give an undue advantage to the defendant to fill up the lacuna.

6. In these circumstances, I do not find any reason to interfere with the orders passed by the Trial Court. The Civil Revision Petitions are devoid of merits and are liable to be dismissed. Accordingly, the Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Index : No
Internet : Yes

20.07.2015

Rj

To

XVI Assistant Judge,
City Civil Court,
Chennai.

M. DURAISWAMY,J.,

C.R.P.(PD)Nos.2454, 2455 & 2456 of 2015 &
M.P.No.1 of 2015 in
C.R.P.(PD)No.2454 of 2015

20.07.2015