

In the High Court of Judicature at Madras

Dated : 22.1.2015

Coram :

The Honourable Mr.Justice V.RAMASUBRAMANIAN

Civil Revision Petition (PD) No.4890 of 2014 and M.P.No.1 of 2014

1.N.Mannar  
2.R.Sugumaran  
3.B.Kuppan

...Petitioners

Vs

U.Sumathi

...Respondent

PETITION under Article 227 of The Constitution of India against the fair and decretal orders dated 23.9.2014 made in I.A.No.1023 of 2014 in O.S.No. 35 of 2005 on the file of the District Munsif Court, Thiruvetriyur.

For Petitioners : Mr.V.Manisekaran

ORDER

The revision arises out of an order passed by the Trial Court under Order VII Rule 14(3) condoning the delay on the part of the plaintiff in filing additional documents.

2. Heard Mr.V.Manisekaran, learned counsel for the petitioners.

3. The sole respondent in this revision filed a suit in O.S.No.35 of 2005 on the file of the District Munsif Court, Thiruvetriyur for a decree of permanent injunction. The petitioners herein were the defendants in the suit.

(2)

V.RAMASUBRAMANIAN,J

RS

4. When the suit was slated for trial, the petitioners filed an application seeking condonation of the delay in filing certain documents. That application was allowed by the Trial Court, forcing the defendants to come up with the above revision.

5. The main objection of the petitioners is that the affidavit in support of the application was sworn to by the father of the respondent/plaintiff.

6. But, that cannot be a ground to reject the same. As a matter of fact, the plaintiff may even choose to examine her father as a witness. There is no bar in law. The Trial Court was satisfied with the reasons contained in the affidavit. I am in agreement with the order of the Trial Court.

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

22.1.2015

Internet : Yes

To  
The District Munsif Court, Thiruvetriyur.

CRP(PD)No.4890 of 2014  
and M.P.No.1 of 2014