

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

CRP (PD) NO.4315 OF 2015
AND MP NO.1 OF 2015

S.Sathyanarayanan

... Petitioner

Versus

JM Concrete Product Pvt. Ltd.,
No.18/12, Senneerkuppam Village,
Poonamallee Taluk,
Avadi Road, Chennai – 600 056.

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order of the learned VII Assistant Judge, Chennai, in I.A.No.9393 of 2014 in O.S.No.375 of 2013 dated 22.12.2014.

For Petitioner	:	Mr.Prasanna Venkatesh
For Respondent	:	Mr.S.Swaminathan for M/s.Span Associates

ORDER

The petitioner filed an interlocutory application in I.A.No.9393 of 2014, before the VII Assistant Judge, City Civil Court,

Chennai, to file additional written statement. The application was dismissed by the learned Trial Judge on the ground that it was filed after the commencement of trial. The said order is under challenge in this Civil Revision Petition.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. The respondent filed the suit against the petitioner for recovery of money. The suit was contested by the petitioner by filing written statement. The Trial Court recorded the evidence of P.W.1. Thereafter, the petitioner filed the application in I.A.No.9393 of 2014 to file additional written statement. The learned Trial Judge dismissed the application primarily on the ground that the petitioner is trying to withdraw the admission made already in the written statement.

4. The docket orders would indicate that this Court issued notice to the respondent on 06.11.2015. Thereafter, the matter was not posted. The list of dates and events produced by the learned counsel for the respondent shows that subsequent to the initiation of this Civil Revision Petition, the Trial Court completed the evidence. The matter is posted tomorrow for arguments of the petitioner being the defendant in

O.S.No.375 of 2013.

5. The Trial Court has given sufficient reasons while dismissing the application in I.A.No.9393 of 2014. There is no question of re-appreciating the reasons given by the Trial Court. I do not find any error or illegality in the order passed by the learned Trial Judge warranting exercise of supervisory jurisdiction under Article 227 of the Constitution of India.

6. In the upshot, I dismiss the Civil Revision Petition. No costs. Consequently, connected miscellaneous petition is closed.

15.11.2016

TK

To

The VII Assistant Judge
City Civil Court
Chennai.

K.K.SASIDHARAN, J.

TK

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