

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.1607 of 2016

and

C.M.P.No.8736 of 2016

V.S.Shanmugam

S/o.V.K.Subramaniya Mudali

... Petitioner

vs

1.S.Amirthammal

2.P.Bhavani

3.V.S.Kuttiappan

4.V.S.Nagarathinam

5.V.S.Dorairaj

6.N.Kuzhandaiammal

7.N.Padmavathy

8.V.C.N.Venkatesan

9.A.Suseela

10.V.V.Kuppusami

11.D.Thenmozhi

12.S.PAdmavathi

13.S.Dhananjayan

14.The Branch Manager

State Bank of India

Mel Visharam, Walaja Taluk,

Vellore District

... Respondents

(No relief is claimed against
respondents 3 to 14. Hence notice
to respondents 3 to 14 may be
dispensed with)

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 19.06.2015 passed in I.A.No.28 of 2015 in O.S.No.91 of 2011 on the file of Sub Court, Tiruttani.

For Petitioner : Mr.S.Mukunth

ORDER

This revision challenges the order of learned Sub Judge, Tiruttani, passed in I.A.No.28 of 2015 in O.S.No.91 of 2011 on 19.06.2015 allowing the defendants 4 and 8 to file additional written statement.

2. It is the contention of the learned counsel for petitioner that in filing the additional written statement the third defendant, who in the original written statement has refused to accept the existence of the will had taken a diametrically opposite position of genuiness of the will.

3. This Court is of the view that there is no error in the order of the Court below in allowing the defendants 4 and 8 to file additional written statement. The Court below necessarily would arrive at a finding in the case after considering the evidence adduced.

The Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

13.06.2016

Index:yes/no
Internet:yes

To

The Sub Court,
Tiruttani

C.T.SELVAM, J

kpr

Civil Revision Petition (PD) No.1607 of 2016

13.06.2016