

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2016

CORAM:

THE HONOURABLE MR. JUSTICE C.T. SELVAM

C.R.P.(PD)No. 1971 of 2016

and

C.M.P.No. 10357 of 2016

A.Ramanujam ... Petitioner/1st Respondent/1st Defendant

Vs .

1. Thiyagi Kundrathur Nagalingam
And Sankariammal Charitable Trust
Rep. by its Managing Trustee
J.Paulraj ... Respondent/Petitioner/Plaintiff
2. P.B.Durgadas
3. A.V.Umapathy
4. Mrs.R.Bhuvaneshwari ... Respondents/Respondents 2 to 4/
Defendants 2 to 4

Civil Revision Petition filed under Article 227 of Constitution of India,
against the Fair and Decretal order dated 22.03.2016 in I.A.No. 967 of 2015 in
O.S.No. 192 of 2010 on the file of the District Munsif Court at Tamabaram.

For Petitioner : Mr. P.Visvassoundaram

For Respondents : Mr.S.Balasubramaniam

O R D E R

This revision arises against the order of learned District Munsif, Tamabaram, passed in I.A.No. 967 of 2015 in O.S.No. 192 of 2010 on 22.03.2016.

2. Heard learned counsel for petitioner and learned counsel for respondents.

3. The petitioner is the first defendant in the suit pending in O.S.No.192 of 2010, an action moved by the first respondent/plaintiff towards eviction. By way of I.A.No.967 of 2015, the first respondent/plaintiff had, in circumstance where the arrears of rent for a period of three years have been quantified at Rs.90,000/-, but no relief towards recovery thereof and no Court fee that towards had been paid, sought that such relief be included in the main action as also that of payment of rent at a specified rate from the date of filing the suit till the date of the petitioner vacating the property. The Court below has

thought it appropriate to allow the same.

4. This Court does not find any substance in the contention of learned counsel for petitioner that such amendment has been permitted after commencement of trial. The revision stands dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

5. The Court below is directed to dispose of O.S.No. 192 of 2010 as expeditiously as possible, in any event, within a period of four months from the date of receipt of a copy of this order.

vsg

04.07.2016

Index: Yes/No

Internet: Yes/No

To

District Munsif Court,
Tamabaram.

C.T. SELVAM J.,

vsg

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