



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 20.06.2016

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P. (MD) No.1198 of 2016

and

C.M.P (MD) No.5880 of 2016

1.V.Padmarani,
W/o.Godwin Dineshkumar,
(Rep. By her power agent
ie., second revision petitioner)

2.V.Rajarajeswari

3.V.Gowri

4.V.Saroja .. Petitioners/Petitioners/Defendants 3 to 6

vs.

A.Ramanujam .. Respondent/Respondent/Plaintiff

Prayer: Petition filed under Article 227 of the Constitution of India against the fair and decreetal order, dated 12.04.2016 made in I.A.No.109 of 2016 in O.S.No.36 of 2015 on the file of the I-Additional District Court, Madurai.

For Petitioners : Mr.P.Ganapathi Subramanian

For Respondent : Mr.V.Karuna

ORDER

This revision is directed against the order passed by the I-Additional District Court, Madurai in I.A.No.109 of 2016 in O.S.No.36 of 2015.

2. The petitioners are the defendants 3 to 6 in O.S.No.36 of 2015, which was filed by the respondent for recovery of money. Originally, the suit was pending before the Principal District Court, Trichy in O.S.No.136 of 2011. The trial was also commenced on 04.07.2012. When the suit was posted for cross-examination of P.W.1, an application was filed for transfer of the suit to Madurai and after transfer, it was now re-numbered as O.S.No.36 of



3. The petitioners filed an application in I.A.No.109 of 2016 in the suit seeking permission to file additional written statement contending that despite instructions given to the previous counsel, some of the important points have not been stated in the written statement. The trial Court dismissed the application. Against which, the present revision is filed.

4. Heard Mr.P.Ganapathi Subramanian, learned counsel appearing for the petitioners and Mr.V.Karuna, learned counsel for the respondent and perused the records.

5. It is seen from the records that the suit was originally instituted before the District Court, Trichy in the year 2011 and after commencement of the trial, it was transferred to Madurai. The only reason given in the affidavit filed in support of the petition is that certain important averments were not raised in the earlier written statement in a proper manner and he has not putforth the material facts.

6. The trial Court having found that the application was filed belatedly and the suit is in part-heard stage, dismissed the application. I do not find any illegality or irregularity in the order impugned in the revision. Hence, the Civil Revision Petition fails and the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/
Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To
The I-Additional District Court, Madurai.

+1cc to Mr.P.Ganapathi Subramanian, Advocate in SR.No.31769
+1cc to Mr.V.Karuna, Advocate in SR.No.32122

SDR/NGM-MP/30.06.2016/2P/4C

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