



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P (MD) No.1646 of 2016 (PD)

and

C.M.P. (MD) .No.8046 of 2016

Dharuman

.. Petitioner

Vs.

1.Murugamani
2.Ayyachamy
3.Arivalagan
4.Mani Sankar

.. Respondents

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 14.06.2016, made in I.A.No.106 of 2016 in O.S.No.493 of 2011 on the file of the learned Principal District Munsif, Kumbakonam, Thanjavur District and allow the revision petition.

For Petitioner : Mr.B.Jameel Arasu

ORDER

This revision is directed against the order passed by the learned Principal District Munsif, Kumbakonam, Thanjavur District, in I.A.No.106 of 2016 in O.S.No.493 of 2011.

2. Heard the learned counsel for the petitioner and perused the materials available on record.

3. The petitioner is the second defendant in the suit in O.S.No.493 of 2011, filed by the first respondent for permanent injunction. The Suit was filed in the year 2011 and on 19.06.2012, the suit was decreed ex-parte for non-filing of the written statement. Thereupon, the ex-parte decree was set aside and the petitioner along with other defendants filed written statement on 05.07.2012.

4. After commencement of the trial and when the suit was posted for cross-examination of PW1, an application was filed by the petitioner in I.A.No.106 of 2016 seeking permission of the Court to file the additional written statement. The learned Trial Judge dismissed the application, observing that the suit is already heard stage and the petitioner has not explained the delay in filing the said application in I.A.No.106 of 2016.



5. Considering the facts of this case, I do not find any illegality or perversity in the order of the court below.

6. Accordingly, this civil revision petition is dismissed. Consequently connected miscellaneous petition is closed. No Costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To
Principal District Munsif,
Kumbakonam,
Thanjavur District.

+1cc to M/s.B.Jameel Arasu, Advocate SR.No.47585

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pjl
SD/CK/13.10.2016/2P/3C