



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2017

CORAM:

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P(MD)No.2609 of 2016
and C.M.P(MD)No.12315 of 2016

1.Periyasamy
2.K.Sekar

... Petitioners/Petitioners/Defendants

Vs.

K.Kandasamy ... Respondent/Respondent/Plaintiff

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order passed in I.A.No.87 of 2016 in O.S.No.185 of 2013, dated 07.11.2016 on the file of the Principal District Munsif, Karur.

For Petitioners : Mr.K.Balasubramani
For Respondent : Mr.N.Shanmuga Selvam

ORDER

The petitioners have filed the above Civil Revision Petition against the fair and decreetal order passed in I.A.No.87 of 2016 in O.S.No.185 of 2013, dated 07.11.2016 on the file of the Principal District Munsif, Karur.

2.The respondent is the plaintiff in the suit in O.S.No.185 of 2013 on the file of the Principal District Munsif, Karur and the petitioners are the defendants in the said suit. The petitioners filed their counter-affidavit in the year 2014. In the mean time, the petitioners filed an application in I.A.No.87 of 2016 to grant leave to file the additional written statement in the above suit.

3.The learned Principal District Munsif, Karur, dismissed the application in I.A.No.87 of 2016. Against the order of dismissal, the present Civil Revision Petition has been filed.

4.The learned counsel appearing for the petitioners submitted that the learned Judge has not given any reason for dismissing the application filed by the petitioners to file the additional written statement in the above suit.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The learned counsel appearing for the respondent submitted that he has no objection for setting aside the order passed in



I.A.No.87 of 2016 and to pass fresh orders, after hearing the parties.

6. Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondent and perused the materials available on record.

7. Recording the submission made by the learned counsel appearing for the respondent, the order passed in I.A.No.87 of 2016 by the learned Principal District Munsif, Karur is set aside and the Civil Revision Petition is allowed. The learned Principal District Munsif, Karur is directed to pass detailed order, after hearing the parties, on merits and in accordance with law as expeditiously as possible in any event on or before **31.03.2017**. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

The Principal District Munsif,
Karur.

Copy to:

The section officer,
VR Section,

Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.N.Shanmugaselvam, Advocate in SR.4423

+1cc to M/S.K.BALASUBRAMANI, ADVOCATE SR.No 4313

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and

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