

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.06.2018

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

C.R.P.(PD) No.1730 of 2018

&

C.M.P.No.9507 of 2018

R.Seetharaman

... Petitioner

Vs.

The Secretary,
Ayyapan Srinivasa Ramanuja
Kuda kaikariya Trust,
No.87A/17A Chetty Street,
Thirupattur Town,
Vellore District.

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the Judgment and Decree dated 19.01.2018 made in I.A.No.29 of 2017 in RCOP.No.20 of 2014 on the file of learned Additional District Munsif Court, Thirupattur, Vellore District.

For Petitioner : Mr.B.Manoharan

ORDER

The relief sought for in this revision petition is to set aside the Judgment and Decree dated 19.01.2018 made in I.A.No.29 of 2017 in

RCOP.No.20 of 2014 on the file of the learned Additional District Munsif, Thirupattur, Vellore District.

2. The respondent herein has filed a petition in R.C.O.P.No.20 of 2014 before the learned Rent Controller, Tirupattur. The main case of the petitioner is denying the title of the landlord. Therefore, he filed three application before the trial Court as follows:

- i) To amend the counter statement
- ii) to receive the documentary evidence
- iii) to reopen the petition

3. The trial Court allowed the applications for reopening the petition and for amendment of the counter statement. Whereas, the application for receiving the additional documents is dismissed by the Rent Controller.

4. Aggrieved against the said order made in I.A.No.29 of 2017, dated 19.01.2018, the revision petitioner is before this Court by way of Civil revision petition.

5. The trial Court dismissed the application on the ground that the reason given in the affidavit for filing the application on later stage is not convincing.

6. On a perusal of the records, the documents are in existence even on the date of filing of the counter statement in R.C.O.P.No.20 of 2014, the petitioner has not stated any specific reason as to why he has not filed those documents along with the counter statement and also he has not clearly stated that why he has not produced the documents before the Court when an earlier opportunity was available to him, at the time of adducing evidence.

7. Without assigning any reasons, the application filed in the belated stage can not be accepted. The reason for non producing the document at the time of filing counter statement or at the time of examining the witnesses is best known to the petitioner.

8. Therefore, there is no illegality or infirmity in the order passed by the Trial Court and this Court finds no valid reason to interfere with the order of the trial Court and there is no merits in this revision petition.

P.VELMURUGAN, J.,

vum

9. In the result, the Civil Revision petition is dismissed. Consequently, the connected Miscellaneous petition is closed. No costs.

05.06.2018

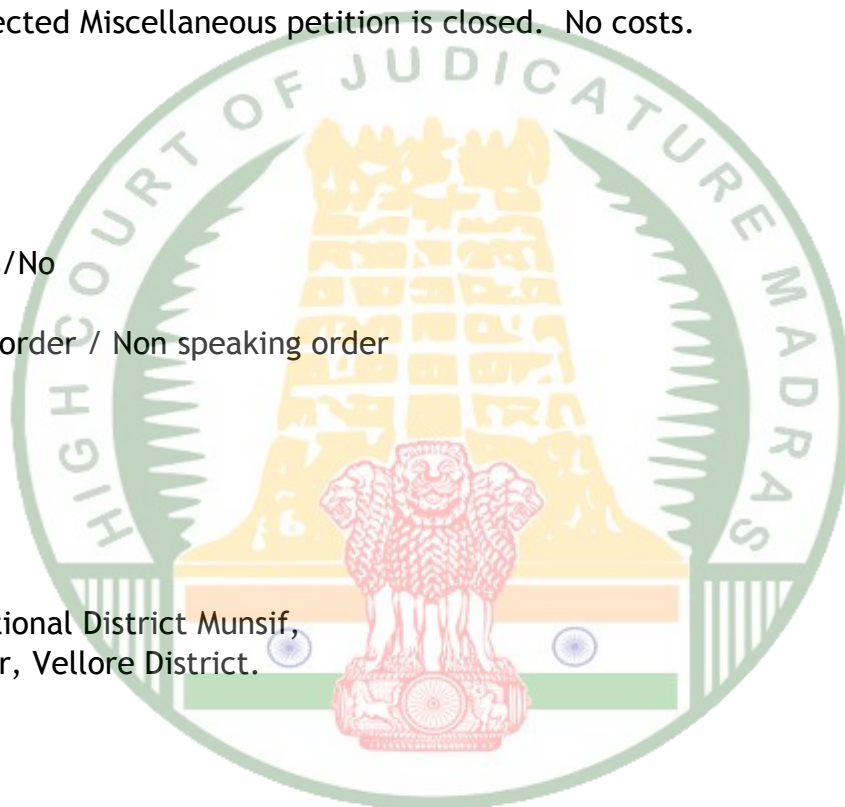
Index:Yes/No

Speaking order / Non speaking order

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To

The Additional District Munsif,
Tirupattur, Vellore District.



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