

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No. 477 of 2018
and
CMP No. 2519 of 2018

N. Narayana Reddy

.. Petitioner

Vs

Natasekar

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order passed in I.A. No.837 of 2017 in O.S. No. 218 of 2007 dated 08.01.2018 on the file of the District Munsif Court cum Judicial Magistrate No.1 at Hosur, Krishnagiri District.

For Petitioner : Ms. G. Keerthana

ORDER

This revision petition is filed to set aside the fair and decreetal order passed in I.A. No.837 of 2017 in O.S. No. 218 of 2007 dated

08.01.2018 on the file of the District Munsif Court cum Judicial Magistrate No.1 at Hosur, Krishnagiri District.

2. The petitioner has filed a suit in O.S. No.218 of 2007 for declaration. The respondent/3rd defendant filed an Interlocutory Application in I.A. No. 837 of 2017 seeking to condone the delay in filing additional documents, without stating any reasons in the affidavit, for the delay of about ten years. The learned counsel for the petitioner would submit that the court below has allowed the application, that has been filed after a period of ten years and without giving proper reasons. Hence, the order passed by the court below is liable to be set aside.

3. Considered the submission of the learned counsel for the petitioner and perused the material available on record.

4. The instant application has been filed by the respondent/3rd defendant seeking to condone the delay in marking additional documents. The court below has allowed the aforesaid application, with liberty to the petitioner to raise all the objections, including marking of

documents, during the trial of the suit. Based on the above said observation, the petitioner can raise all the grounds, including the question of limitation in filing the application and marking of the documents, at the time of trial in the said suit. In the light of the observation made by the court below, we find no grounds to interfere with the order of the court below.

5. The Civil Revision Petition is disposed of, with the above direction. Consequently the connected Miscellaneous Petition is closed. No costs.

12.02.2018

Index : Yes/ No

Speaking order/ Non speaking order

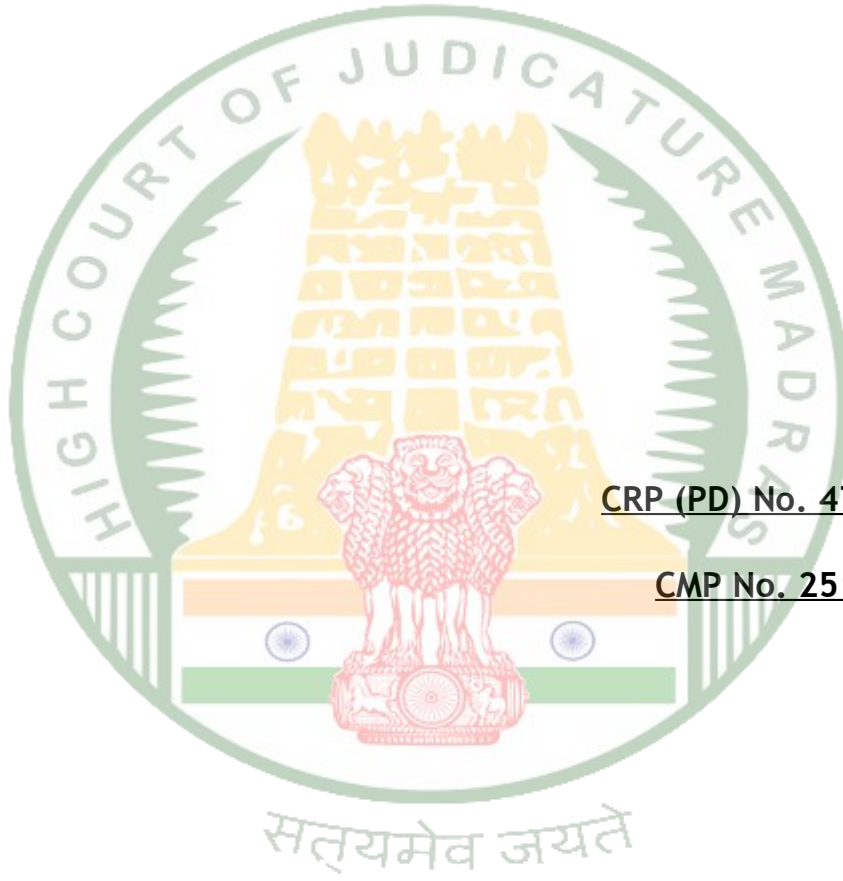
[Issue order copy on 19.03.2018]

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To
The District Munsif Court
cum Judicial Magistrate No.1
Hosur, Krishnagiri District.

D. KRISHNAKUMAR J.,

avr



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