



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.10.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

C.R.P (MD) (NPD) .No.1432 of 2018
and
C.M.P (MD) .No.6160 of 2018

K.Rathinam

... Petitioner

vs.

1.Sarasu
2.Eshwari
3.Vasanthamani

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 01.02.2018 in I.A.No.108 of 2017 in O.S.No.330 of 2013 on the file of the learned Additional District Munsif Judge at Karur.

For Petitioner : Mr.R.Aravind Raj
For Respondents : Mr.M.P.Senthil

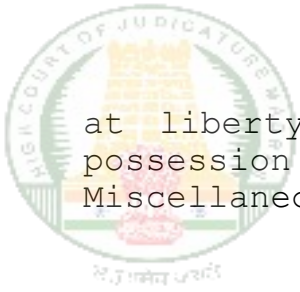
ORDER

The defendant in O.S.No.330 of 2013 on the file of the Additional District Musnif Court, Karur, is the revision petitioner herein. The revision petitioner filed I.A.No.108 of 2017 for getting leave to file an additional written statement. The Court below, by order dated 01.02.2018, dismissed the said Interlocutory Application. Challenging the same, this Civil Revision Petition has been filed.

2.Heared the learned counsel on either side.

3.This Court is of the view that since it is only a suit for bare injunction, possession alone will have to be decided. Therefore, the filing of his additional written statement, which has contentions having a bearing on title, may not be of much relevance. That apart, it is seen that the suit is of the year 2013. Trial has already commenced. It is seen that the evidence of P.W.1 has already been closed. Thereafter, the question of permitting the defendant to file an additional written statement, will not arise.

4. In this view of the matter, the order impugned in this Civil Revision Petition is sustained and this Civil Revision Petition is dismissed. It is needless to mention that the petitioner would be



at liberty to mark all the documents indicating that he is in possession of the suit property. No costs. Consequently, connected Miscellaneous Petition is closed.

WEB COPY

Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Additional District Munsif,
Karur.
2. The Record Keeper,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO Mr.M.P.SENTHIL, ADVOCATE IN SR No. 90380

RMK

TE/SV/SAR-4 : 04/12/2018 : 2P/5C

C.R.P (MD) (NPD) .No.1432 of 2018
11.10.2018