



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (PD) (MD) Nos.1573 and 1575 of 2016

and

C.M.P. (MD) Nos.7667 and 7692 of 2016

Santha Fire Works,
Partnership Firm,
Anupankulam Village,
Sivakasi Taluk,
Through its Partner,
J.Manohar

... Petitioner/Plaintiff/Petitioner
in both petitions

-vs-

1.M.Selvam
2.J.Kalidas
3.Davidraj

... Respondents/Defendants 1 to 3/
Respondents in both petitions

4. The Inspector General of Registration,
Santhome High Road,
Triplicane,
Chennai.

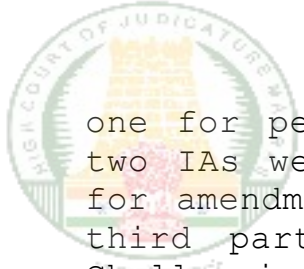
5. The Sub Registrar,
Sivakasi Town,
Virudhunagar District ... 4th and 5th Respondents
in CrI.OP.(MD)No.1575 of 2016

COMMON PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India praying to set aside the order dated 22.06.2016 made in I.A.No.203 and 401 of 2014, respectively in O.S.No.214 of 2011 on the file of the District Munsif Court, Sivakasi.

For Petitioner	: Mr.Y.Prakash
For R1	: Mr.M.Ashok Kumar
For R3	: Mr.G.Vairamani (for both petitions)
For R4 & R5 in CRP (MD) No.1575 of 2016	: Mr.M.Murugan Government Advocate

COMMON ORDER

<https://hcservices.ecourts.gov.in/hcservices/>
The revision petitioner is the plaintiff in O.S.No.214 of 2011 on the file of the District Munsif Court, Sivakasi. The suit is



one for permanent injunction. Before commencement of the trial, two IAs were filed by the plaintiff. I.A.203 of 2014 was filed for amendment. I.A.No.401 of 2014 was filed for impleading some third parties. Both IAs were dismissed by the Court below. Challenging the same the present Civil Revision Petitions have been filed.

2.This Court is of the view that in as much as the plaintiff had filed the applications before the commencement of the trial, the court below could have adopted an indulgent approach. It is seen that there is no alternation in the character of the suit. In any event, the respondents would not be put to prejudice as they have the right to file additional written statements.

3.In this view of the matter, the impugned orders in the present Civil Revision Petitions are set aside and the Civil Revision Petitions are allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

1. The District Munsif, Sivakasi
2. The Inspector General of Registration,
Santhome High Road,
Triplicane, Chennai.
3. The Sub Registrar,
Sivakasi Town,
Virudhunagar District.

+1cc to Mr.Y.Prakash, Advocate Sr.No.78759

+1cc to Spl.Government Pleader Sr.No.78753

TA

VB/RP/SAR3/06.09.2018/ 2P/ 6C

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