



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) (PD) No.1822 of 2016

and

C.M.P. (MD) No.8779 of 2016

1.Blessy Mol

2.Priya Mol

...Revision Petitioners/Petitioners/
Defendants

/Vs./

Lilly Pushpam

... Respondent/Respondent/Plaintiff

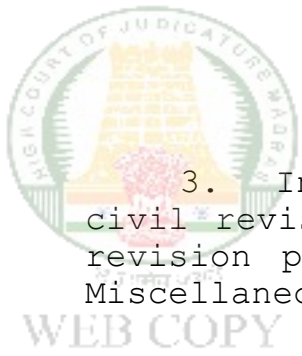
Prayer: Civil Revision Petition - filed under Article 227 of the Constitution of India, to set aside the order and decreetal order dated 28.04.2016 made in I.A.No.167 of 2016 in O.S.No.127 of 2010 on the file of the Sub Court, Kuzhithurai and allow the civil revision petition.

For Petitioners	: Mr.V.M.Balamohan Thambi
For Respondent	: No appearance

ORDER

The defendants in O.S.No.127 of 2010 on the file of the Sub Court, Kuzhithurai are the revision petitioners herein. The revision petitioners filed I.A.No.167 of 2016 seeking to amend their written statement. In fact, the petitioners only want to add three more paragraphs.

2. It is seen that the trial in this case had just commenced. The plaintiff had filed their proof affidavit. She has not been cross examined. It is also seen that during the pendency of the suit, the plaintiff had mortgaged the property in favour of the bank. The bank has initiated SARFAESI proceedings. Therefore, the defendants want to take a plea that the bank must be made a party in the suit proceedings. In other words, the plaintiffs want to take a plea of non joinder of bank. In support of their original plea, the details are bereft in nature and therefore, a few more details and referred to documents are sought to be made. Therefore, I am of the view that interest of justice is required and the petitioners are granted leave to amend their written statement.



3. In this view of the matter, the order impugned in this civil revision petition is set aside and accordingly, this civil revision petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-I)

To

1. The Sub Judge, Kuzhithurai.

2. The Section Officer, V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

+1 CC To MR.V.M.BALAMOHANTHAMPI, Advocate SR. NO. 89320

Order made in
C.R.P.(MD)(PD)No.1822 of 2016

SM

TR/PM/SAR-I (31.10.2018) 2P 5C