

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

Civil Revision Petition No.2468 of 2018

ORDER:

Aggrieved by the dismissal of an application under Order VI Rule 17 of the Code of Civil Procedure, the defendants in a suit for eviction, have come up with the above revision.

2. Heard Mr. Sai Gangadhar Chamarty, learned counsel for the petitioners.

3. Admittedly, the petitioners filed a suit for specific performance in O.S.No.134 of 2011. Thereafter, the landlord filed a suit for eviction in O.S.No.116 of 2013, out of which the above revision arises.

4. Since the parties as well as the subject matter of the suit were the same, the Court clubbed both the matters together. On behalf of the plaintiffs, two witnesses were examined in the suit for specific performance. The defendants examined two witnesses and thereafter the matter was posted for arguments.

5. After the suits were posted for arguments, the petitioners filed two applications, one for reopening and another for summoning the Sub-Registrar. They were dismissed. Thereafter another set up applications were filed for reopening and summoning the General Manager of a company. They were also dismissed.

6. As a third attempt, one more application was filed to examine the sons of the attestors of the agreement of sale. The chief affidavits of those persons were also filed, but they did not turn up.

7. Subsequently, the petitioners filed one more application for reopening and for adducing further evidence that was dismissed on 16-03-2018. It is at this stage that the present application for amending the written statement was filed. In other words, all the provisions of the Code of Civil Procedure have now got exhausted. I do not find any merit in the revision and hence, it is liable to be dismissed.

Accordingly, the Civil Revision Petition is dismissed. No costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

Date: 20-04-2018

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