

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2019

CORAM :

THE HON'BLE MS. JUSTICE P.T.ASHA

C.R.P. (PD) No.692 of 2019

and

C.M.P. No.4509 of 2019

R.M.Abdul Shamadhu

... Revision Petitioner

Vs.

1.Santhanakrishnan

2.Vajiravel

3.Pazhani

4.Sivasankar

5.Ashok Kumar

6.Sambanadhan

7.Radha Bai

Jayarama Chettiar (died)

8.Radhakrishnan

9.Dhanalakshmi

10.Kali @ Santhanalakshmi

11.Basheera Kathu

12.Ismail

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decretal order dated 23.01.2019 made in I.A.No.621 of 2018 in O.S.No.31 of 2007 on the file of the District Munsif cum Judicial Magistrate Court, Uthiramerur.

For Petitioner : Mr.N.A.Nissarahmed

ORDER

The above Civil Revision Petition has been filed, challenging the order in I.A.No.621 of 2018 in O.S.No.31 of 2007 passed by the learned District Munsif cum Judicial Magistrate, Uthiramerur, in and by which, the learned Judge has dismissed the application, filed by the plaintiff to amend the plaint in keeping with the defence that had been raised by the subsequently impleaded 13th respondent.

2.The learned Judge had allowed the application and challenging the same, the 13th defendant, who had entered the fray at the last moment is the person challenging the said order.

3.Considering the fact that, the amendment application has come to be filed on account of the fact that the 13th respondent had filed the written statement on 04.01.2019 and the fact that immediately thereafter, the amendment petition had been filed by the plaintiff, the learned Judge has rightly allowed the said application. Hence, I find no infirmity in the order passed by the learned Judge in I.A.No.621 of 2018 in O.S.No.31 of 2007.

4.In the result, this Civil Revision Petition is dismissed. No costs.

Consequently, connected Miscellaneous Petition is closed.

27.02.2019

Index : Yes / No
Internet : Yes / No
Speaking order / Nonspeaking order

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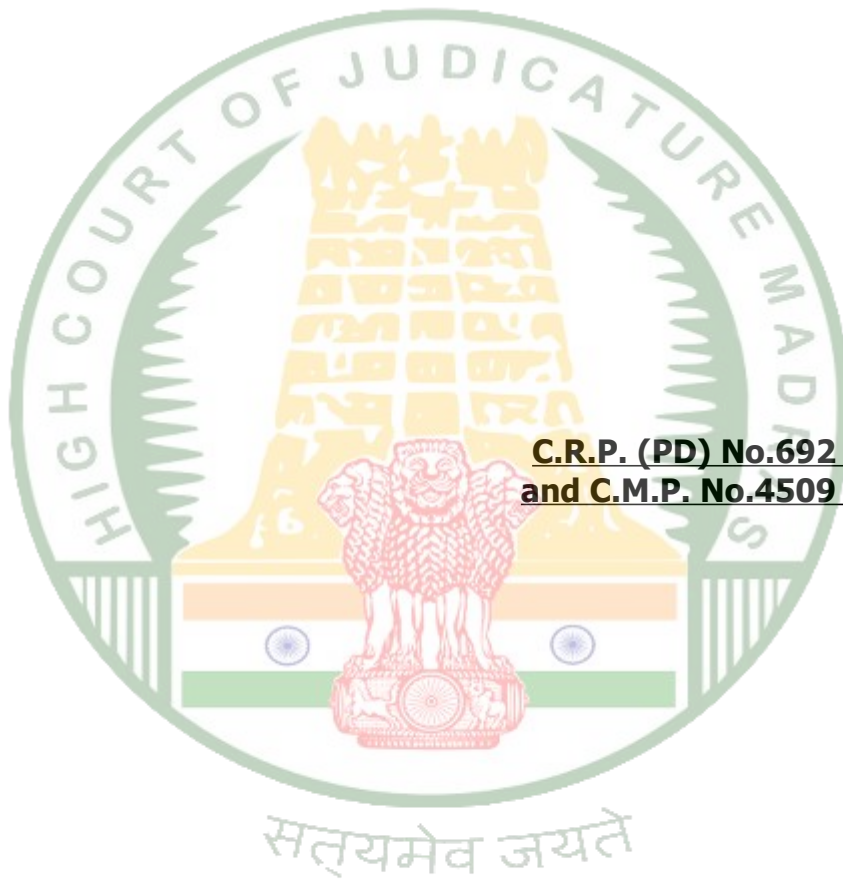
The District Munsif cum Judicial Magistrate,
Uthiramerur.



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P.T.ASHA, J.

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