

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P(PD).No.622 of 2019

&

C.M.P.No.4161 of 2019

S.Ramasamy

...Petitioner

Vs

1.K.Valliammal

2.R.Palaniammal

3.Visalatchi

4.R.S.Venkateshan

5.S.R.Subramanian

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Indian Constitution against the order dated 05.12.2018 passed in I.A.No.397 of 2018 in O.S.No.43 of 2018 on the file of the Sub-Judge, Palladam.

For Petitioner : Mr.K.Myilsamy

ORDER

The above Civil Revision Petition is filed challenging the order passed by the learned Subordinate Judge, Palladam granting leave to the plaintiff to file a reply statement to the written statement which has been filed by the 3rd defendant. The 3rd defendant filed his written statement on 18.09.2018 which is after the cross examination of P.W.1. Thereafter, the plaintiff in order to rebut certain submissions made in the written statement had taken out the application in I.A.No.397 of 2018 to file a reply statement and that interlocutory application has been allowed.

2.Challenging the same, the revision petitioner who is the 1st defendant in the suit has been moved this Civil Revision petition. Mr.Myilsamy, learned counsel appearing for the respondent would contend that this petition is taken at a belated state when the cross examination of P.W.1 was already over.

It is seen from the records that the 3rd defendant himself had filed the written statement only after the cross examination of the P.W.1, therefore, the arguments of the learned counsel does not merit consideration. In the result, I find no infirmity in the order passed by the learned Subordinate Judge, Palladam. The Civil Miscellaneous Petition is dismissed. There shall be no order as to costs. Consequently, connected Civil Miscellaneous Petition is also closed.

21.02.2019

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Index : Yes/No
Speaking order/non-speaking order

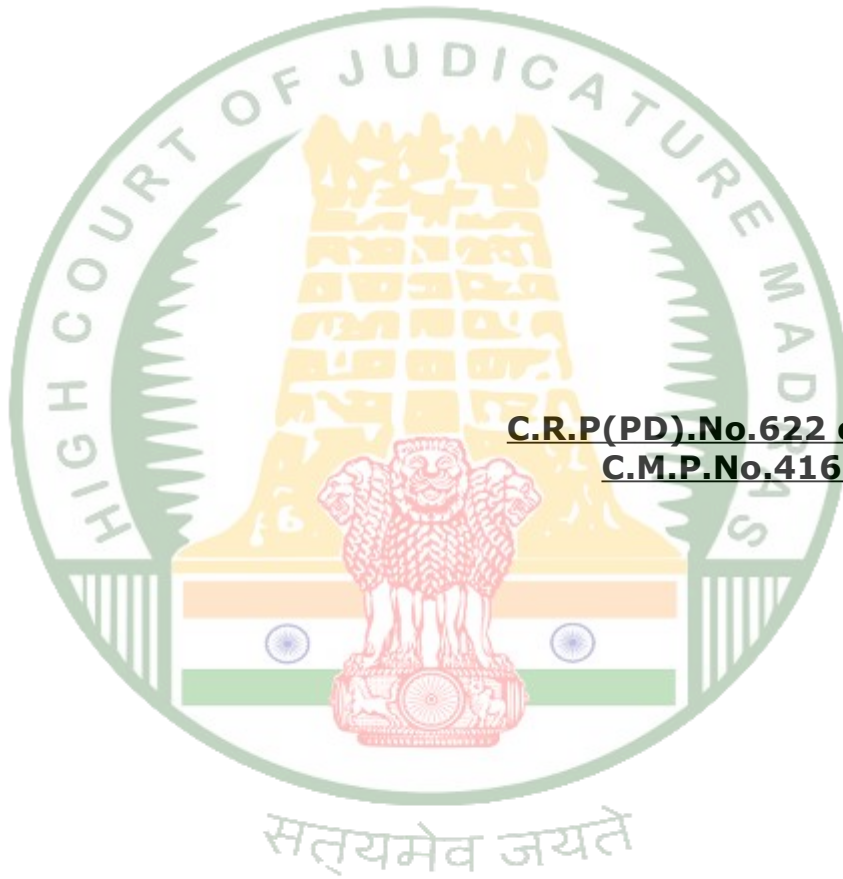
To
The Sub-Judge, Palladam.

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P.T.ASHA, J.,

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