

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.03.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(P.D).No.2382 of 2018
and
C.M.P.No.14716 of 2018

Murugan

... Petitioner

-Vs-

1. Kasthuri
2. Arivazhagan
3. Karunamoorthy,
4. Lalitha
5. Usha
6. Krishnamoorthy.

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order in I.A.No.473 of 2017 in O.S.No.294 of 2012 dated 14.12.2017 passed by the District Munsif Panruti and allow the Civil Revision Petition.

For Petitioner : Mr.S.Parthasarathy

For Respondents : No Appearance for R1 to R6

ORDER

The Civil Revision Petition is filed challenging the dismissal of the petition filed by the first defendant/Revision Petitioner to amend his

written statement to substitute the amount of Rs.1,00,000/- as Rs.6,00,000/-. The said application was dismissed by the Court below on the ground that in connected I.A.No.473 of 2017, the Revision Petitioner/First Defendant has stated that the amount for which the respondents/plaintiffs has agreed to sell the property was Rs.5,00,000/- whereas the same is shown as Rs.6,00,000/- in this petition. That apart, the learned Judge has held that it is at the time of trial that this application has come to be filed it is therefore belated.

2. Heard the counsel and perused the papers.

3. It is seen that the written statement has been filed as early as in the year 2012 and the affidavit seeking amendment is filed just when the matter is posted for trial in the year 2017. No reasons has been given by the Revision Petitioner/First Defendant in the affidavit filed in support of the petition as to why the amendment was sought for except stating that the mistake is on account of the typographical error. As rightly pointed out by the learned District Munsif, Panruti, the application is admittedly belated and the affidavit is bereft of reasons and thirdly in the connected Interlocutory Application, a different sum has been shown which gives rise to some amount of doubt in the minds of the Court.

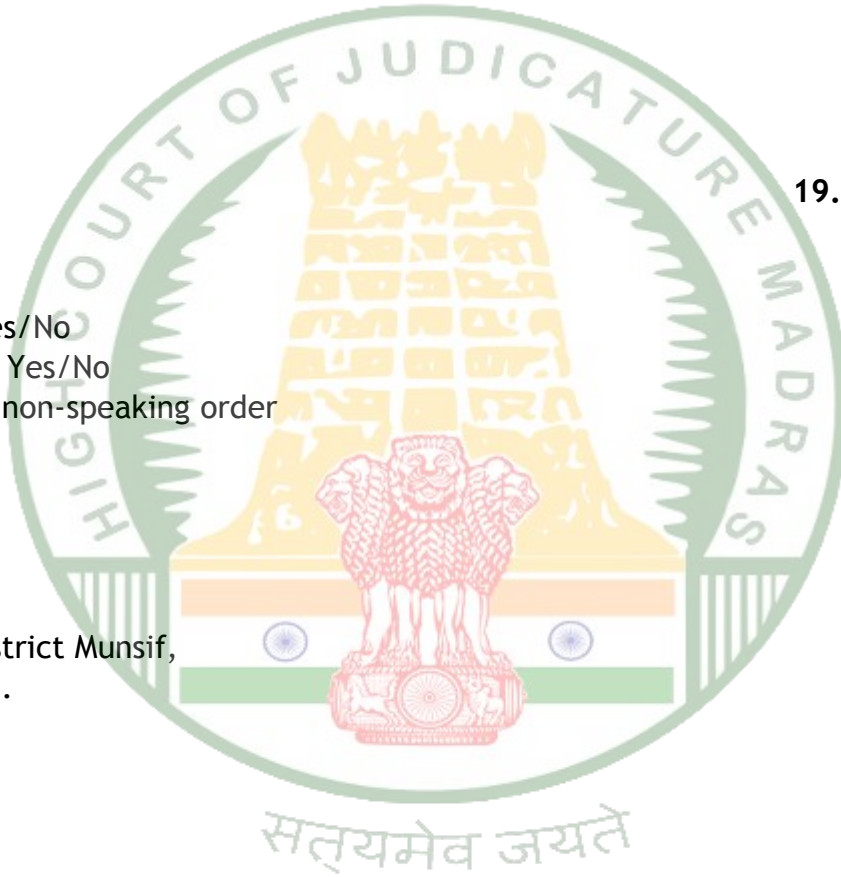
Therefore, I find no infirmity in the order passed by the learned District Munsif Panruti. Accordingly, Civil Revision Petition is dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

19.03.2019

Index : Yes/No
Internet : Yes/No
Speaking/non-speaking order
ebsi/mrn

To

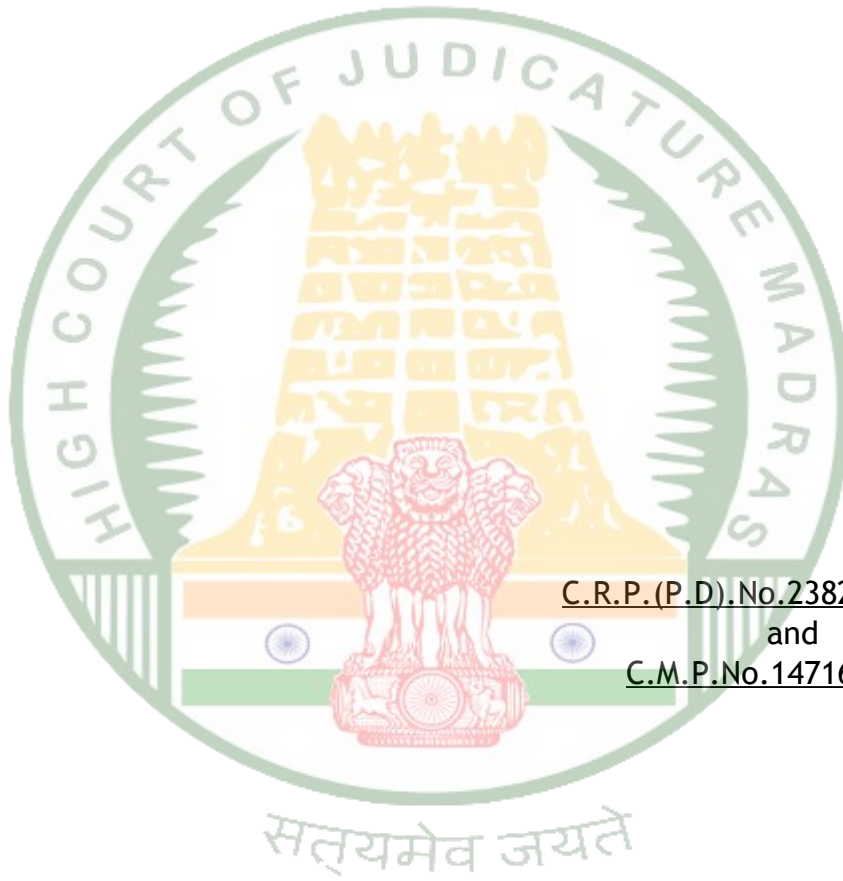
1. The District Munsif,
Panruti.



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P.T. ASHA.J

ebsi/mrn



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