

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **26.08.2019**

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.R.P.(PD)No.2779 of 2019

and

C.M.P.No.18215 of 2019

Mr.B.K.Harirajan,
represented by Written Authority Holder,
Mr.B.V.Krishnayyan @ Krishnan

: Petitioner

Vs.

1.Mrs.Renuka Sundharababu

Vasanth Rao (dead)
Ramakantha Rao (dead)
Balan (dead)

2.Mrs.Swarnakantha Rao

3.Mr.Suriyanarayana Rao

4.Mr.Venkataramana Rao

5.Mr.Vijayanarasimha Rao

6.Mrs.Jagatha

7.Mr.Jayakumar

8.Mr.Jayaprakash

9.Mrs.Jaya Bhavani

10.Mrs.Kamala

11.Mrs.Lakshmi

12.Mrs.Gomathi

13.Mr.Amarendra Rao

14.Mrs.Muktha

15.Ms.Kiranmani

: Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India praying to set aside the fair and decreetal order dated 22.01.2019 passed in I.A.No.530 of 2018 in O.S.No.57 of 1998 on the file of the District Munsif Court, Ponneri.

For Petitioner : Mr.N.R.Gopaalan

ORDER

This Civil Revision Petition is directed against the order dismissing the petition filed under Order VIII Rule 9 of the Code of Civil Procedure seeking leave to file reply statement.

2. Interestingly, the suit was filed in the year 1998 and written statement was filed in the year 2000. After impleading the Legal Representatives of the third and fourth defendants, the matter was posted for trial in the year 2018 and the plaintiff has also filed a proof affidavit. At that stage, the application was filed seeking leave of the Court to plead the subsequent events by way of reply statement. The Trial Court, considering the fact that the written statement was filed in the year 2000 and the reply statement is sought to be filed after 18 years incorporating the events taken place after 2007 to 2018, dismissed the petition. In fact, the entire pleadings, as rightly found by the Trial Court, travels around the incident which had happened after 2007. A litigant filing the plaint on a particular cause of action cannot go on develop the case on the basis of subsequent events, which is not recognized by law. Already, twenty years had passed by and the suit is

still pending before the Court below. Granting permission to file reply statement will further delay the proceedings and there will be no end to the litigation. Therefore, to curtail the process and for speedy disposal, time limit is fixed for filing written statement and also reply statement. In any case, reply statement cannot be permitted after a period of 18 years. If permitted, it will become an unending process and the suit cannot be disposed of expeditiously. The Trial Court has rightly dismissed the petition. I do not find any infirmity in the order passed by the Trial Court. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

26.08.2019

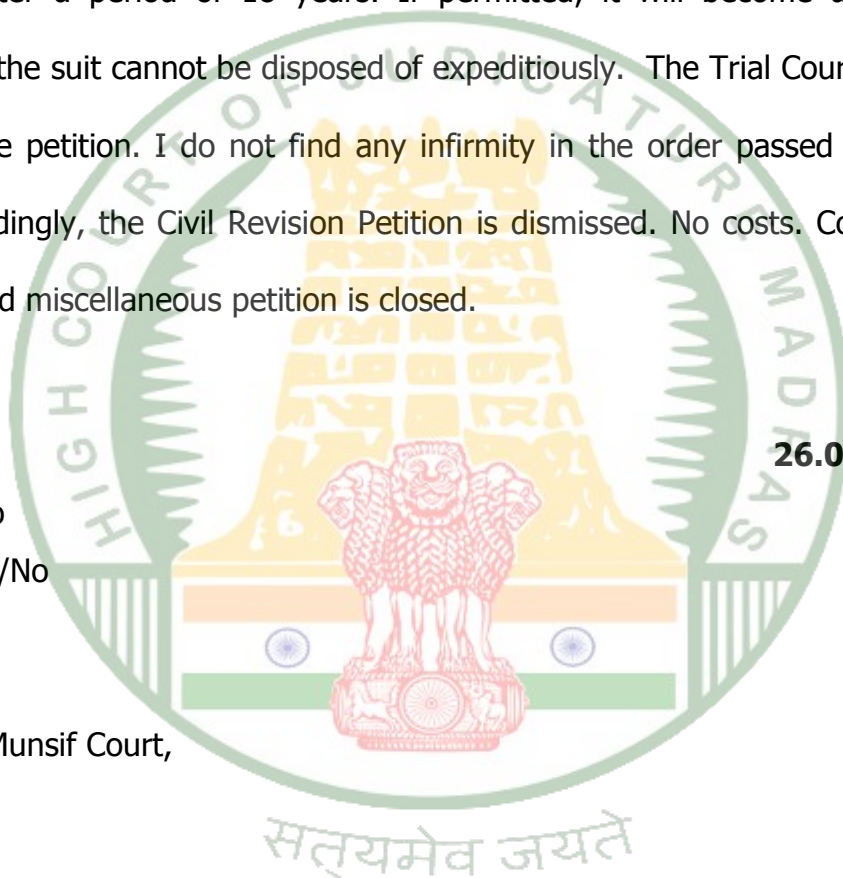
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SML/TK

To

The District Munsif Court,
Ponneri.

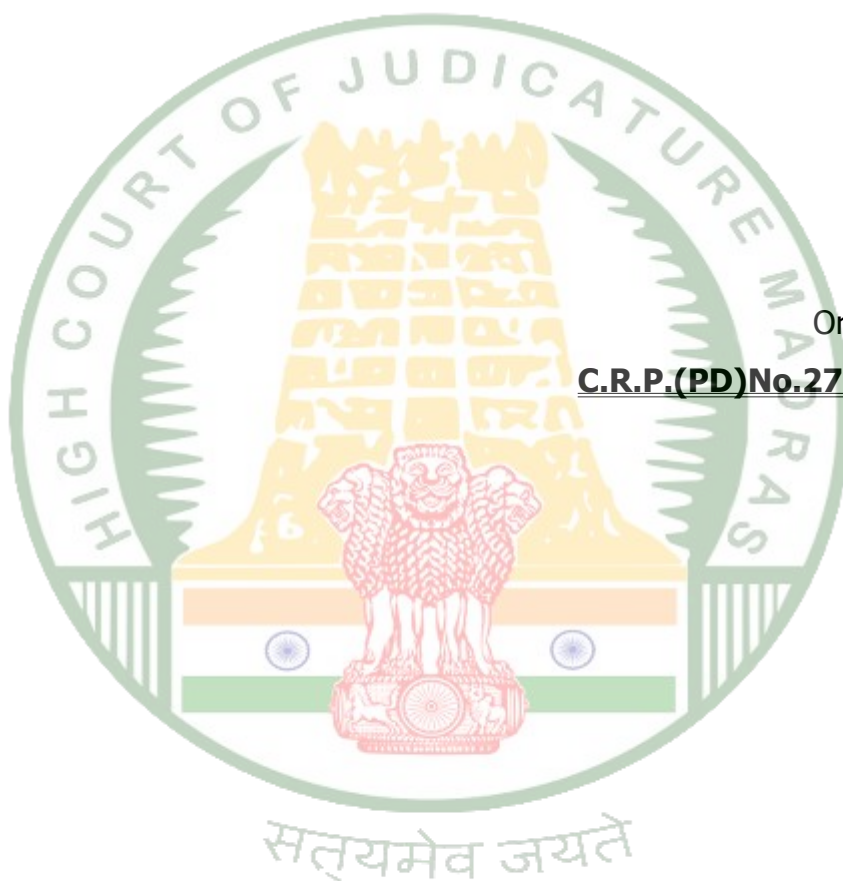


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CRP (PD) No.2779 of 2019

M.GOVINDARAJ, J.

SML/TK



Order made in

C.R.P.(PD)No.2779 of 2019

Dated: 26.08.2019

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