

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.04.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(PD)No.3254 of 2017

and

CMP.No.15199 of 2017

M. Palaniappan

... Petitioner

-VS-

1. R. Muthappan @ Muthusamy
2. R. Chinnappan
3. Muthusamy
4. Ramasamy
5. T. Kaliannan
6. T. Ramasamy
7. M. Kaliannan
8. Kaveri ammal

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India praying to allow the above C.R.P. and set aside the order and decretal order dated 20.01.2017 made in I.A.No.1086 of 2015 in O.S.No.160 of 2006 on the file of the Sub Court, Namakkal.

For Petitioner : Mr. T. Dhanyakumar

ORDER

The above Civil Revision Petition is filed challenging the order passed by the Subordinate Judge, Namakkal in I.A.No.1086 of 2015 in O.S.No.160 of 2006 Which was an application filed by the plaintiff to file reply statement to the written statement filed by the 3rd defendant. This Application has been taken out at the stage when the suit was posted for arguments. The reasons stated for seeking leave was on the ground that respondents 3 and 4 who are contesting the case have exhibited certain documents to fortify their pleadings, and unless the plaintiff rebuts the said documents, the he may not be in a position to put forth a good defense. The learned Judge was however not inclined to allow the Application as the same was highly belated. Challenging the same, the revision petitioner is before this Court.

2. Heard Mr. T. Dhanyakumar, learned counsel for the revision petitioner.

3. From the records, it is seen that the written statement had been filed by the 4th defendant as early as on 08.11.2006. The reply is sought to be filed nine years later on 24.08.2015 and that too when

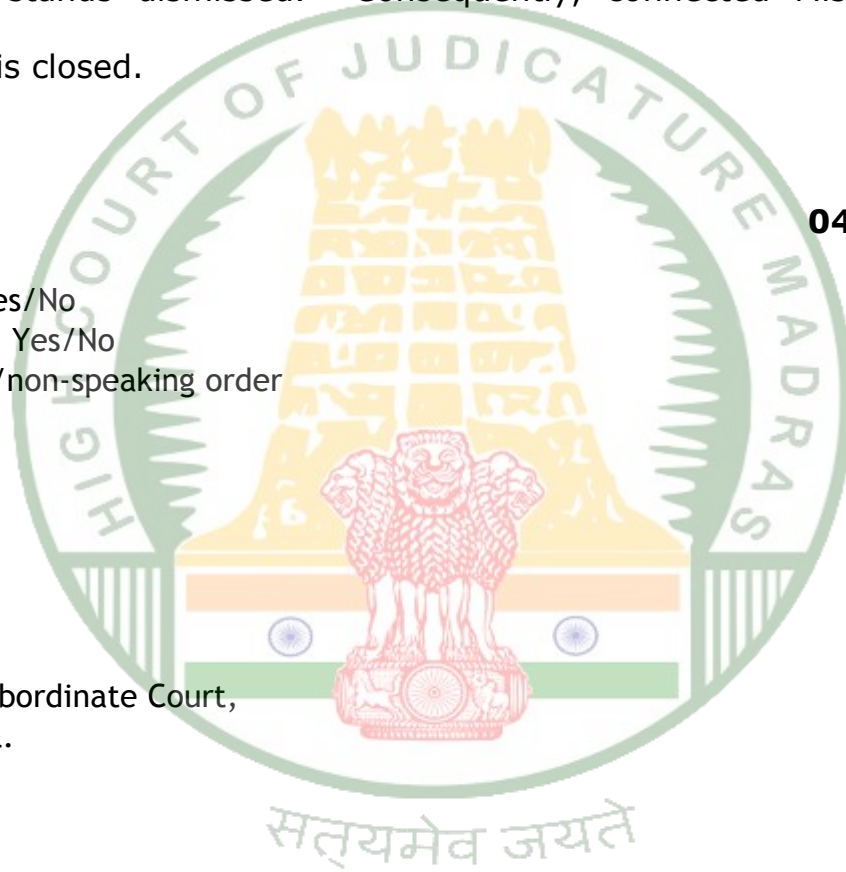
the matter is posted for arguments. There is no satisfactory reasons given for the delay and also reasons as to why the proposed reply statement has to be taken on file. The learned Subordinate Judge, Namakkal has rightly dismissed the said application. Civil Revision Petition stands dismissed. Consequently, connected Miscellaneous Petition is closed.

04.04.2019

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

mrn

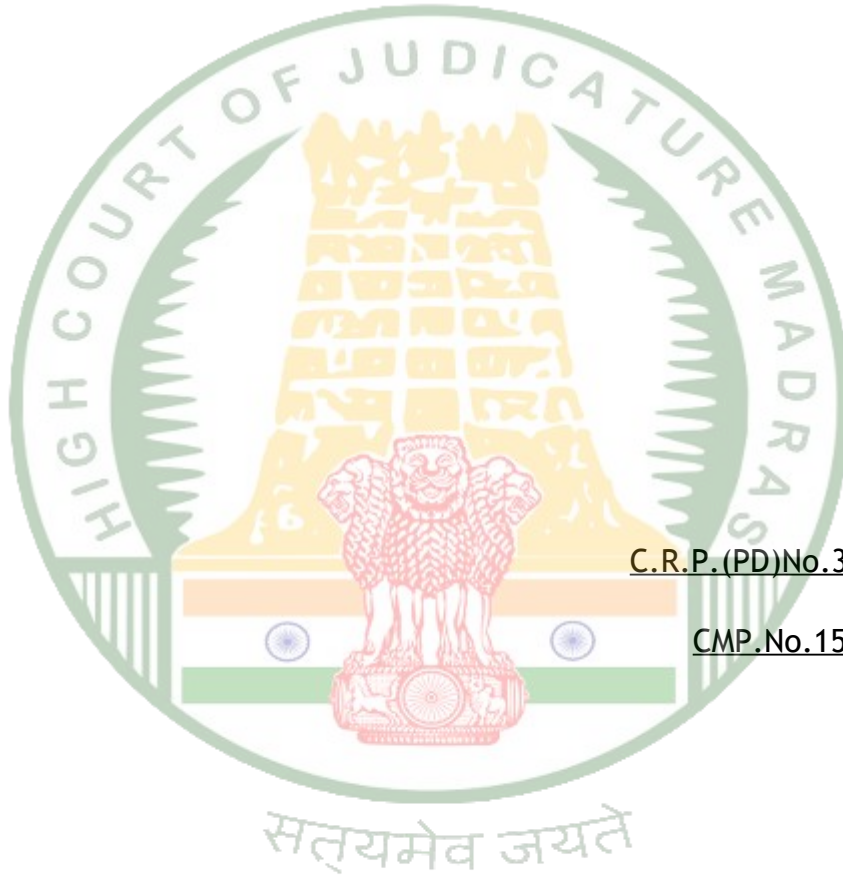
To
1. The Subordinate Court,
Namakkal.



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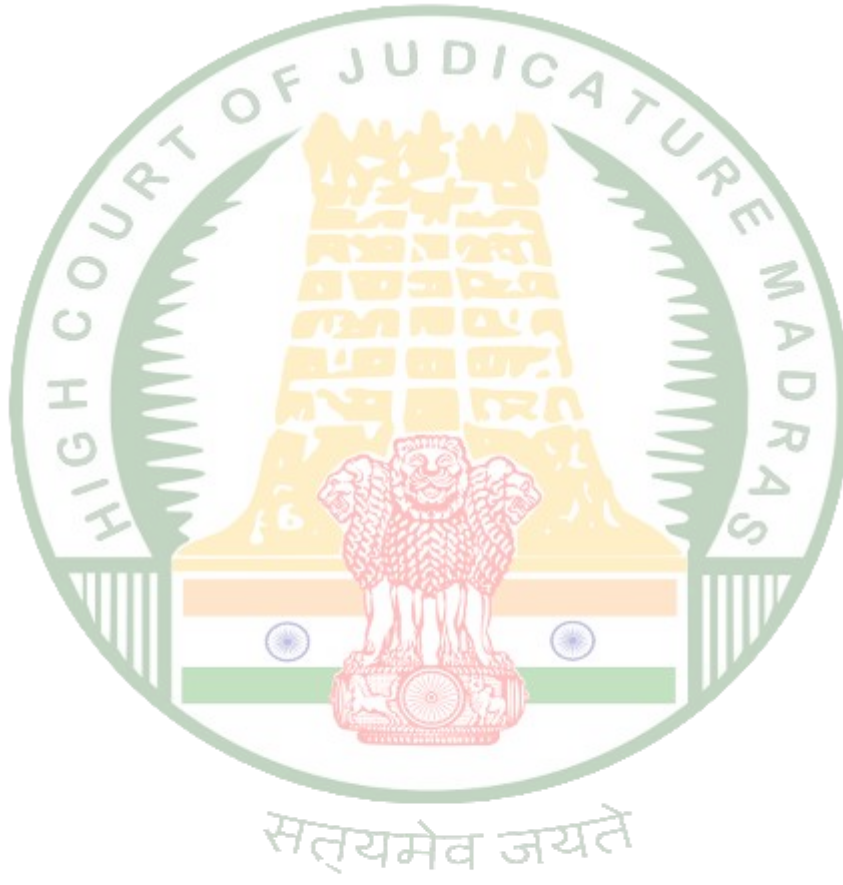
P.T. ASHA, J.,

mrn



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