

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.PD.No.3532 of 2018

and

CMP.No.19782 of 2018

1.D.Naveethakrishnan  
S/o. Late Duraisamy

2. D.Muthukumar  
S/o. Late Duraisamy

3. D.Visalakshi  
W/o. Late Duraisamy

..Petitioners

Vs.

P.Poovathal  
W/o. Palanisamy

..Respondent

PRAYER: The Civil Revision Petition is filed under Article 227 of Constitution of India praying to set aside the fair and decretal order dated 18.09.2018 made in I.A.No.494 of 2018 in O.S.No.2 of 2010 on the file of the District Munsif Judge, Palladam.

For Petitioners : Mr.K.Myilsamy

For Respondent : No Appearance

**ORDER**

This Civil Revision Petition is filed to set aside the fair and decretal order dated 18.09.2018 made in I.A.No.494 of 2018 in O.S.No.2 of 2010 on the file of the District Munsif Judge, Palladam, thereby dismissing the petition seeking permission to file an additional written statement.

2. The petitioners are the defendants and the respondent is the plaintiff in the suit. The respondent filed a suit for partition. The petitioners filed written statement on 29.11.2010. Thereafter, after a period of 7 years, they filed a petition seeking permission to file additional written statement, that too when the P.W.1 was in box for cross examination.

3. It is seen that the petitioners filed a petition seeking permission to file an additional written statement during the fag end of trial, when the P.W.1 and 2 were in box for cross examination. If the petitioners are allowed to file additional written statement, it may lead to take some more time for the trial Court by allowing the respondent to file her reply statement and framing additional issues. Therefore, the Court below rightly

dismissed the petition. Therefore, this Court finds no infirmity or illegality in the order passed by the Court below.

4. Accordingly, this Civil Revision Petition is dismissed. Consequently, connected miscellaneous petition is closed. No order as to costs.

25.06.2021

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No  
dh

To

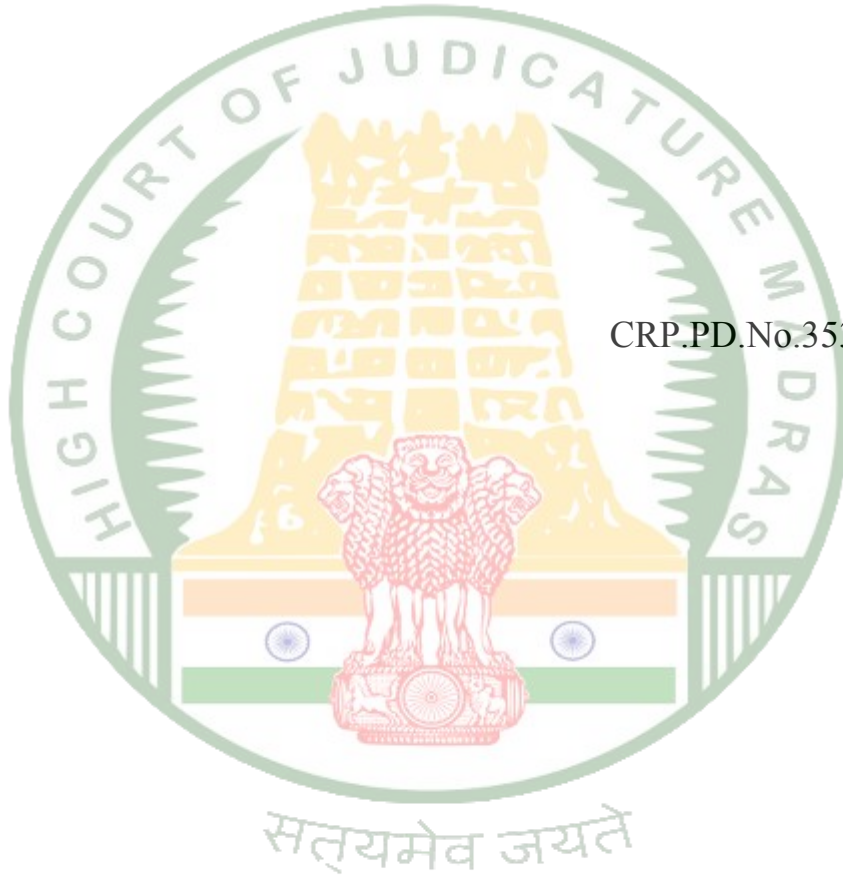
The District Munsif Judge,  
Palladam.



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**G.K.ILANTHIRAIYAN,J.**

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