



C.R.P.No.3067 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.3067 of 2022
and
C.M.P.No.16509 of 2022

N.Muthusamy

... Petitioner

VS

Nachammal @ Rajeshwari

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the order/decretal order passed by the learned Additional Subordinate Judge, Namakkal in I.A.No.5 of 2022 in O.S.No.70 of 2001 dated 16.06.2022.

For Petitioner : Mr.E.C.Ramesh

ORDER

The Civil Revision Petition is filed challenging the order passed by the Court below dismissing the petition filed by the petitioner seeking leave of the Court to file additional written statement.

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WEB COPY 2. The perusal of the impugned order passed by the Court below make it clear that the petitioner has not made any new averments in the additional written statement. He only reiterated the averments found in the original written statement in his additional written statement. The suit is for partition and it is of the year 2001. The revision petitioner has not filed the copy of additional written statement in the typed-set of papers. But from the reading of the impugned order and also counter filed by the respondent, it is clear that he has not made any new averment in the additional written statement. Further, it is made clear from the said finding of the Court below that the additional written statement sought to be filed by the revision petitioner is unnecessary and unjustified. In the absence of convincing reason to grant leave to file additional written statement after 21 years, I am not inclined to interfere with the impugned order. In these circumstances, I do not find any illegality or irregularity in the order passed by the Court below.

3. Accordingly, the Civil Revision Petition is dismissed. No costs.



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Consequently, the connected civil miscellaneous petition is closed.

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Index : Yes / No
Speaking Order : Yes / No
dm

To

The Additional Subordinate Judge,
Namakkal.



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S.SOUNTHAR, J.

dm

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