



C.R.P.No.3380 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.3380 of 2022
and
C.M.P.No.17960 of 2022

R.Jagathambal

... Petitioner

VS

1.Manimegalai

2.The District Elementary Educational Officer,
Nagapattinam,
Nagapattinam District.

3.The Assistant Elementary Educational Officer,
Kilvelur Taluk,
Nagapattinam District.

4.The District Collector,
Nagapattinam District,
Nagapattinam.

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and decretal order passed by the learned District Munsif Court, Nagapattinam in I.A.No.3 of 2021 in O.S.No.18 of 2015 dated 11.02.2022.



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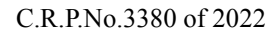
For Petitioner : Mr.K.Raja
For R2 to R4 : Ms.Dr.S.Suriya
Additional Government Pleader

ORDER

This Civil Revision Petition is filed challenging the order passed by the Court below allowing the application filed by the 1st respondent herein to file reply statement.

2. The 1st respondent herein filed a suit for declaration and injunction. The petitioner herein was impeaded as a 4th defendant in the suit by order dated 29.09.2021 made in I.A.No.1 of 2021. Thereafter, the petitioner herein filed his written statement on 25.10.2021 wherein he relied on a Will executed by Ramanujam dated 14.06.1995. The 1st respondent herein filed a reply statement denying the Will relied on by the petitioner herein. The reply statement was filed by the 1st respondent immediately on 23.11.2021. The Court below allowed the petition filed by the 1st respondent seeking leave of the Court to file reply statement. Aggrieved by the same, the petitioner has come up by way of this civil revision petition.

3. The learned counsel for the petitioner submitted that the reply



4. I am unable to accept the contention raised by the learned counsel for the petitioner, the perusal of the typed-set of papers would suggest that after impleadment, the petitioner herein filed his written statement on 25.10.2021 raising his defence based on Will. Immediately on 23.11.2021, the reply statement was filed by the 1st respondent. Hence, there is no delay in filing reply statement on the part of the 1st respondent. Accordingly, I do not find any infirmity in the order passed by the Court below.

27.10.2022

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S.SOUNTHAR, J.

dm

To

- 1.The District Munsif Court,
Nagapattinam.
- 2.The District Elementary Educational Officer,
Nagapattinam,
Nagapattinam District.
- 3.The Assistant Elementary Educational Officer,
Kilvelur Taluk,
Nagapattinam District.
- 4.The District Collector,
Nagapattinam District,
Nagapattinam.

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