



CRP(PD)(MD)No.1228 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.1228 of 2022 and
CMP(MD)No.5033 of 2022

Chandran

... Petitioner

Vs

1.Ramu @ Raman
2.Rengasamy
3.Elumalai
4.Thamizharasi
5.Prakash
6.Balan
7.Rengammal

... Respondents

Prayer: Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order passed in I.A.No.40 of 2022 in O.S.No.99 of 2012, on the file of the District Munsif Court, Keeranur, dated 06.04.2022.

For Petitioner : Mr.A.Thiyagarajan

ORDER

This Civil Revision Petition is filed as against the fair and decreetal order passed by the learned District Munsif, Keeranur in I.A.No. 40 of 2022 in O.S.No.99 of 2012, dated 06.04.2022.



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2.The case of the petitioner is that he is the defendant in O.S.No.99 of 2012, which was filed by the plaintiffs before the District Munsif Court, Keeranur. Pending the suit, the petitioner has taken out an application under Order VIII Rule 9 of Civil Procedure Code r/w Section 151 of Civil Procedure Code, for filing additional written statement. The trial Court dismissed the said application. Aggrieved over the same, the petitioner/defendant is before this Court with the present Civil Revision Petition.

3.The learned counsel appearing for the petitioner submits that the trial Court failed to note that the documents proposed to file along with the additional written statement are too vital to arrive at conclusion in the suit. Hence, the order of the trial Court is liable to be set aside.

4.Heard the learned counsel appearing for the petitioner and perused the materials placed on record. Since no adverse order is going to be passed against the respondents, notice to them is dispensed with.



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5.It is seen from the records that pending the suit in O.S.N o.99 of 2012, the petitioner has filed the above interlocutory application in I.A.No.40 of 2022, for filing additional written statement and thereby he introduced 10 more documents. The suit was posted for arguments on 04.12.2021, 13.12.2021, 21.12.2021, 10.01.2022, 21.01,2022, 24.01.2022, 04.02.2022, 09.02.2022 and on 18.02.2022. This petition has been filed on 15.02.2022 for filing additional written statement at the stage of arguments, wherein, the suit is pending from the year 2012. The reasons offered by the petitioner for filing these documents are not satisfactory and allowing this application would further delay the suit.

6.This Court is of the view that there is no merit in this petition and there is no error in the order passed by the trial Court. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

23.06.2022

Index : Yes / No.
Internet : Yes / No.
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B.PUGALENDHI, J.

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To

The District Munsif Court, Keeranur

Order made in
CRP(PD)(MD)No.1228 of 2022

23.06.2022