



*C.R.P.No.13 of 2019*

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED :24.08.2023

CORAM

**THE HON'BLE Mr. JUSTICE V.LAKSHMINARAYANAN**

**C.R.P.No.13 of 2019**  
**and C.M.P.No.178 of 2019**

Aruna

...Petitioner  
Vs.

L.V.Perumal Reddy (Died)

Varalakshmi (Died)

Sriramulu Reddy (Died)

P.Venkatarama Reddy (Died)

O.Rajagopal Reddy (Died)

1.Varalakshmi

2.Jeyalakshmi

3.L.Subramania Reddy

L.Lakshmikanthamma (Died)

4.P.Saraswathi

5.K.Suseela



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6.Kokilammal

7.O.Karunakaran

Navaneetham (Died)

8.P.N.Sachidhanandan

9.S.Bhuvaneswari

10.S.Lakshmi

11.S.Sasikala

12.S.Vignesh

...Respondents

(Cause title accepted vide Court  
order dated 29.11.2018 made in  
C.M.P.No.20847 of 2018 in  
C.R.P.Sr.No.114019 of 2018 (MSRJ)

**Prayer** :- Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside Fair and Final order dated 01.08.2018 passed by the learned District Munsiff Cum Judicial Magistrate, Uthukottai, in I.A.No.351 of 2012 in O.S.No.25 of 2008 by allowing the Civil Revision Petition.

For Petitioner : Mr.B.Gopalakrishnan for  
B.Kumarasamy  
For Respondents : Mr.A.Satheesh



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## **ORDER**

This Civil Revision arises against the order passed by the learned District Munsiff Cum Judicial Magistrate, Uthukottai, in I.A.No.351 of 2012 in O.S.No.25 of 2008. O.S.No.25 of 2008 was originally filed as O.S.No.199 of 1985 on the file of District Munsif Court, Tiruvallur. To the said suit, second defendant already filed his written statement.

2.Pending the proceeding, the defendants 12 and 14 took an application in I.A.No.872 of 2005, on the very same basis as pleaded by the petitioner today, and the said petition was dismissed on 26.09.2007. In fact, the defendants 13 and 15 did not file a written statement at all and they were set *ex-parte* as early as on 25.03.1991. When the defendants 12 and 14 moved the Court for the very same relief and it had been dismissed on 26.09.2007.

3.As on today, as many as seven defendants had been examined, to



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permit the defendants to raise a new plea at this stage would not only be unfair on the plaintiff but only end in prolonging the litigation.

4.I am convinced with the reasons given by the learned District Munsiff Cum Judicial Magistrate, Uthukottai, in I.A.No.351 of 2012 in O.S.No.25 of 2008 dated 01.08.2018. Therefore, I am not inclined to interfere.

5.Accordingly, this Civil Revision Petition is dismissed. Consequently, connected miscellaneous petition is closed.

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**24.08.2023**

Index: Yes/No

Speaking Order: Yes/No



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To

- 1.The District Munsiff Cum Judicial Magistrate,  
Uthukottai.
- 2.The Section Officer,  
VR Section,  
High Court of Madras.



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**V.LAKSHMINARAYANAN.J,**

ep

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**24.08.2023**