



C.R.P.(PD)(MD).No.1773 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(PD)(MD)No.1773 of 2022

and

C.M.P(MD) No.7871 of 2022

T.Kavitha

... Petitioner / Petitioner/ Defendant

-vs-

Sri Senthurandavar Auto Finance,
Represented by its Managing Partner
M.Natesan
S/o. K.Murugesan
Having its office at
No.66 MVM Towers,
1st Floor, West Pradhkashan Road,
Karur – 639 001.

.... Respondent/ Respondent/Plaintiff

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the Fair and decretal order, dated 06.07.2022 made in I.A.No.3 of 2021 in O.S.No.125 of 2020 on the file of the Additional District Court (Fast Track Court) Theni.

For Petitioner : Mr.J.Lawrance



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ORDER

The present civil revision petition has been filed by the defendant in a suit for recovery of money.

2. Based upon a mortgage deed, the said suit was filed by a registered partnership firm as against the defendant. While the suit was posted for the evidence of defendant, the defendant had filed I.A.No.3 of 2021, seeking particulars and details about the constitution of the partnership firm and the address of the partnership firm.

3. The said application was resisted by the plaintiff, on the ground that the application has been filed belatedly. The plaintiff has further contended that the details about the partnership firm and the particulars of the partners have been marked by way of Document as Ex.A2 while the P.W.1 was examined on the side of plaintiff.

4. The trial Court, after considering the defence raised by the plaintiff dismissed the application that was belatedly filed. Challenging the same, the present Civil Revision Petition has been filed.



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5. When the matter was posted for the evidence of defendant, the defendant had filed the present application seeking details of the constitution of the plaintiff's partnership firm and also address of the partners. It could be seen from the records that while P.W.1 was examined, he has furnished all the details by way of documents and the same was marked as Ex.A2.

6. In view of the said undisputed fact, I do not find any merit in the said application. There is no illegality or infirmity in the order passed by the trial Court.

7. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

09.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To
1. The Additional District Court,
(Fast Track Court) Theni.

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R.VIJAYAKUMAR,J.

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