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C.R.P.(MD)No.2077 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 02.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2077 of 2024

1.Velu

2.Neelkandan

... Petitioners / Petitioners / Defendants

Vs.

Vatchaladevi

... Respondent / Respondent / Plaintiff

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records pertaining to the order passed by the learned Additional Sub Court, Thanjavur made in I.A.No.7 of 2024 in O.S.No.72 of 2022, dated 08.07.2024 and set aside the same and to allow the present civil revision petition.

For Petitioners : Mr.K.M.Karunakaran

ORDER

The petitioners herein are the defendants in O.S.No.72 of 2022 on the file of the Additional Sub Court, Thanjavur. The suit is one for specific performance. The defendants herein had originally filed written statement.



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In the written statement, the petitioners had taken alternative defence regarding signature. However, in the additional written statement, it has been pleaded that the signature attributed to the suit agreement is forged. This additional pleading is sought to be received after the plaintiff's evidence was already over. That is why, the court below dismissed I.A.No.7 of 2024 filed under Order 8 Rule 9 of C.P.C. The court below has given convincing reasons for dismissing IA. Interference is not warranted.

2. The civil revision petition is dismissed. No costs.

02.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
rmi

To:

The Additional Sub Court, Thanjavur.



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G.R.SWAMINATHAN, J.

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