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C.R.P.(PD) No.2198 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.03.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(PD) No.2198 of 2024
and CMP.No.11667 of 2024

P.Ravichandran

... Petitioner

Vs.

1.A.Manorammal @ Manonmani

2.S.Logasamy

3.Durga Nandhini

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the fair and decretal order dated 16.04.2024 made in I.A.No.10 of 2024 in O.S.No.870 of 2018 on the file of the II Additional Subordinate Court, Erode, by allowing the civil revision petition.

For Petitioner : Mr.M.Guruprasad

For Respondents : Mr.C.Jagadish for R1

R2 & R3 - Served [No appearance]



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ORDER

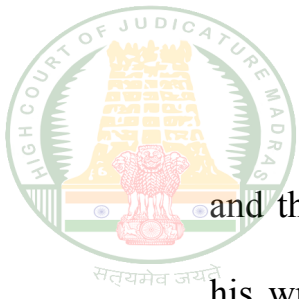
The above civil revision petition is filed challenging the order passed in I.A.No.10 of 2024 in O.S.No.870 of 2018. The said application is filed by the first defendant for condoning the delay in filing the documents listed in the petition. The said documents are :

1. Original mortgage deed dated 28.12.2016 executed by the first defendant in favour of the third defendant;
2. Receipt dated 18.05.2018 executed by the third defendant in favour of the first defendant.

The said application has been dismissed by the learned II Additional Subordinate Judge, Erode.

2. The learned counsel appearing for the first respondent / plaintiff would submit that the certified copies of the documents have already been filed by the plaintiff along with the plaint as Sl.Nos.7 and 8.

3. The learned Judge has proceeded to dismiss the application on the ground that the third defendant had not whispered about the mortgage deed



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and the receipt (the documents which are now sought to be introduced) in his written statement and also the reason for delay has not been properly explained by the first defendant/revision petitioner. This Court, however, has taken note of the fact that the said documents have already been filed along with the plaint, and the same are already available on the file of the Court below, there is no necessity for once again filing those documents which are already available on record. Therefore, the impugned application is plainly redundant, and the same cannot be entertained.

4. The civil revision petition is accordingly dismissed. No costs. Consequently, connected miscellaneous petition is closed.

17.03.2025

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes / No
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To:

- 1.The II Additional Subordinate Judge
Erode.
- 2.The Section Officer
VR Section, High Court, Madras.



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P.T. ASHA, J.

ds

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