

**IN THE COURT OF ADDITIONAL DISTRICT COURT (FAST
TRACK COURT**

**Present: Thiru.A.Saravanakumar, B.Sc.,B.L.,
Additional District Judge,
Additional District Court, (FTC)
Kancheepuram.**

**Date: Monday, the 3rd day of June 2024
I.A.No.1/2024 in I.A.12/2023 In O.S.No.215/2010**

1. Prema Kumari
2. Shantha Kumari
3. Lakshmi
4. G.Janardhanan
5. Vijaya Samundeeswari

. . . Petitioners/Respondents 1,2,3,7 &
8/Plaintiffs 1 to 5

/VS/

1. Gokula Rao
2. Shantha Kumari
3. Karunya Devi
4. Swadhesi kumari
5. Vasantha Priya
6. Pappi

. . . Respondents 1 to 6 /Defendants

This petition is coming on 12.04.2024 for final hearing before me in the presence of Tr. S.Rajendiran, B.Manivannan Advocate for the Petitioners and Tr.Gokula Rao (Party in person) for the Respondents, and upon hearing the arguments on both sides and having stood over for consideration till this day, this court delivered the following:

ORDER

This application is filed under 151 of CPC to receive additional counter.

2. Petition and Counter perused.

3. Both sides Heard.

4. The Point for consideration is whether the petition is to be allowed as prayed for?

5. Answer to the Point.

The instant application has been filed under 151 of CPC to receive additional counter in I.A.12/2023 in O.S.215/2010. The petitioners are respondents 1,2,3,7,&8 /plaintiffs 1 to 5, in the Original Suit. The original suit is filed for the relief of partition and separate possession. Pending the suit the respondent filed I.A.12/2024 to rectify the deficit court fee in accordance with current market value of the suit schedule property.

Pending the said I.A.12/2023 the present I.A.1/2024 has been filed to receive additional counter. The 4th, 5th and 6th respondents endorsed as no counter. Though the learned counsel for R1, R2 and R3 filed his counter and across the bench he represented that there is no serious objection for allowing this application. Having regard to the submissions of the respective sides and also of the fact that the instant application is filed only to receive the counter no serious prejudice will be caused to the respondents since they have every opportunity to disprove the allegations made in the petition. Therefore this court is inclined to allow this application.

In the result the petition is allowed. Additional counter received with the direction that I.A.12/2023 will be taken up for enquiry on 08.06.2024. Both the

parties are directed to co-operate with this court for speedy disposal of the suit.

Dictated to Steno-typist directly typed by her in computer, corrected and pronounced by me in open court this the 3rd day of June 2024.

Sd/XXXX

**Additional District Judge,
ADC, (FTC)
KANCHIPURAM.**

Petitioners side Exhibits: NIL

Respondents side Exhibits: NIL

Sd/XXXX

**Additional District Judge,
ADC, (FTC)
KANCHIPURAM.**