



WEB COPY



CRP No. 1852 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 1852 of 2026
and CMP No.8305 of 2026**

1. V.Balasubramaniam
S/O. Varadharajulu, No.143, 113,
Anjenayar Koil Street, Land Mark Karnan
Kovil Street, Palavedu, Avadi IAF, Chennai
- 60055.

Petitioner(s)

Vs

1. C.Siva
S/O. Chinnaraj, No.257, Chinna Street,
Chembedu, Vengal, Tiruvallur - 601103.

Respondent(s)

Revision Petition filed under Section 115 of Civil Procedure Code to set aside the order passed in I.A.No.2 of 2025 in O.S.No.156 of 2022 dated 05.03.2026 on the file of Sub Court at Tiruvallur and consequently allow I.A.No.2 of 2025 by condoning the delay of 796 days.

For Petitioner(s): MR. Sethupathy

For Respondent(s): Ms.Elizabeth Ravi



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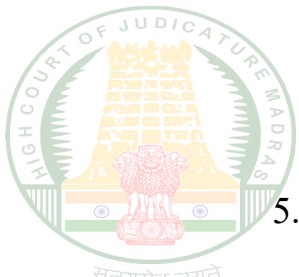
ORDER

Challenging the orders passed in I.A.Nos.2 and 3 of 2025 in O.S.No.156 of 2022, the defendant has preferred the above revision.

2. Before the trial Court, the revision petitioner/defendant as filed applications in I.A.No.2 of 2025 to condone the delay of 796 days in filing the petition to set aside the exparte decree dated 13.04.2023 passed in O.S.No.156 of 2022 and I.A.No.3 of 2025 to set aside the exparte decree dated 13.04.2023 passed in O.S.No.156 of 2022.

3. Both the petitions are dismissed by the trial Court holding that the revision petitioner/defendant has not shown sufficient cause for the delay of 548 days. Aggrieved by the same, the defendant has filed the present revision.

4. This Court by order dated 20.04.2026 modified the conditional stay granted by this Court on 09.04.2026 and directed the petitioner to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) to the credit of O.S.No.156 of 2022 on or before 28.04.2026.



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5. Learned counsel for the petitioner submits that the conditional order has been complied with by the petitioner and the suit is based on pronote and infact, the petitioner/defendant has not borrowed any amount from the respondent/plaintiff. Learned counsel for the petitioner/defendant also submits that no notice was served on the petitioner/defendant and therefore, he could not appear before the court, but, still the petitioner/defendant is having valid defence.

6. Learned counsel for the respondent submits that originally the suit was filed in the 2022 and exparte decree was obtained and thereafter, execution petition was filed and thereafter only, the petitioner/defendant has filed a petition to set aside the exparte decree.

7. The suit is for recovery of Rs.7,71,398/- with 12% interest. Therefore, this Court is inclined to give one more opportunity to the petitioner/defendant by condoning the delay as well as setting aside the exparte decree.

8. Since the petitioner/defendant has already deposited a sum of Rs.2,00,000/- (Rupees Two Lakhs only), the respondent/plaintiff is permitted to withdraw the amount by filing undertaking affidavit.



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T.V.THAMILSELVI.,J

sr

9. The trial court is directed to dispose of O.S.No.156 of 2022 on merits and in accordance with law within a period of five months from the date of receipt of a copy of this order.

10. With the above direction, the civil revision petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

18.06.2026

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Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

The Sub Court at Tiruvallur

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