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CRP No. 2412 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 2412 of 2026
and CMP.No.10312 of 2026**

Nithiyanandan
S/o Late Rajamani alias Ponnusamy,
No 5, Pillaiyarkovil Street,
Durga Nagar,
Sanatorium,
Tambaram,
Chennai 600 047

..Petitioner(s)

Vs

1. Krishnasamy (Died), 1. Vasanthi
W/o Kannan,
Mosque Street,
Katpadi Tk,
Vellore Dist.
2. Viswanathan
S/o. Late Krishnasamy,
4th Cross Street,
Bangalore
3. Selvam
S/o. Late Krishnasamy,
No.29, 2nd Main Road,
Hoyasala Nagar,
Bangalore
4. Shamalanathan
S/o. Late Krishnasamy,
No.63, Bharathi Nagar,
Kaniyambadi Village and Post,
Vellore Taluk,
Vellore District.
Ponnusamy (Died)
Kanthammal (Died)
Kanniyappan (Died)



5. Kannammal
W/o. K.Sundaram,
No.30, C.T.M.Street,
Gopalapuram,
Gudiyatham Taluk,
Vellore District.
6. Govindammal
W/o. Munirathinam,
Kuttalavaripalli Village and Post,
Gudiyatham Taluk,
Vellore District.
7. Munirathinam
S/o. Jeyarani,
Melvadugankuttai Village,
Karasamangalam Post, Latheri Via,
Katpadi Taluk,
Vellore District.
8. Chandirasekar
S/o. Munirathinam,
Melvadugankuttai Village,
Karasamangalam Post, Latheri Via,
Katpadi Taluk,
Vellore District.
9. Meera
D/o. Munirathinam,
Melvadugankuttai Village,
Karasamangalam Post, Latheri Via,
Katpadi Taluk,
Vellore District.
10. Selvakumar
S/o. Munirathinam,
Melvadugankuttai Village,
Karasamangalam Post, Latheri Via,
Katpadi Taluk,
Vellore District.
Saradhammal (Died)



11.Saibaba

S/o. Late Kanniyappan,
Lakshmanapuram Village,
Kallur Post,
Gudiyattam Taluk,
Vellore District.

12.Thulasi

S/o. Late Kanniyappan,
Lakshmanapuram Village,
Kallur Post,
Gudiyattam Taluk,
Vellore District.

13.Subramani

S/o. Late Kanniyappan,
Lakshmanapuram Village,
Kallur Post,
Gudiyattam Taluk,
Vellore District.

14.Susila

D/o. Late Kanniyappan,
Lakshmanapuram Village,
Kallur Post,
Gudiyattam Taluk,
Vellore District.

15.Mohan

S/o. Late Kanniyappan,
Lakshmanapuram Village,
Kallur Post,
Gudiyattam Taluk,
Vellore District.

16.Kannappan

S/o. Late Balaraman,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

17.Mahalakshmi



D/o. Late Balaraman,
W/o. Kanniyappan,
Lakshmanapuram Village,
Kallur Post,
Gudiyattam Taluk,
Vellore District.

18. Stella

W/o. Late Somu,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

19. Vijaya

D/o. Late Somu,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

20. Vanitha

D/o. Late Somu,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

21. Vidhya

D/o. Late Somu,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

22. Santhi

D/o. Late Somu,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

23. Retta



D/o. Late Somu,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

24.Maha

D/o. Late Somu,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

25.Renuka

W/o. Late Munisamy,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

26.Thilagavathi

D/o. Late Munisamy,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

27.Pavithra

D/o. Late Munisamy,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

28.Arunkumar

S/o. Late Munisamy,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

29.Indira

W/o. Late Anbu,



No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

30.Jayakumar

S/o. Late Anbu,
No.17/15, V.O.C.Street,
Tharapadavedu Village,
Katpadi Taluk,
Vellore District.

31.Dasarathan

S/o. Late Periyappa Gounder,
Melvadugankuttai Village,
Karasamangalam Post, Latheri Via,
Katpadi Taluk,
Vellore District.

32.Subramani

S/o. Late Periyappa Gounder,
Melvadugankuttai Village,
Karasamangalam Post, Latheri Via,
Katpadi Taluk,
Vellore District.

33.Sivagami

W/o. Late Damodharan,
Karasamangalam Village and Post, Latheri Via,
Katpadi Taluk,
Vellore District.

34.Neelamegam

S/o. Late Damodharan,
Karasamangalam Village and Post, Latheri Via,
Katpadi Taluk,
Vellore District.
Thaniga (Died)

35.Selvi

D/o. Late Damodharan,
Karasamangalam Village and Post, Latheri Via,
Katpadi Taluk,



Vellore District.

36.Ammulu

D/o. Late Krishnamoorthy,
Melvadugankuttai Village,
Karasamangalam Post, Latheri Via,
Katpadi Taluk,
Vellore District.

37.Sheela

D/o. Late Krishnamoorthy,
Melvadugan Kuttai Village,
Karasamangalam Post, Latheri Via,
Katpadi Taluk,
Vellore District.

38.Gopi

S/o. Late Krishnamoorthy,
Melvadugankuttai Village,
Karasamangalam Post, Latheri Via,
Katpadi Taluk,
Vellore District.

39.Vaidegi

D/o. Late Krishnamoorthy,
Melvadugankuttai Village,
Karasamangalam Post, Latheri Via,
Katpadi Taluk,
Vellore District.

40.Suseela

W/o. Late Thaniga,
Karasamangalam Village and Post, Latheri Via,
Katpadi Taluk,
Vellore District.

41.Iyappan

S/o. Late Thaniga,
Karasamangalam Village and Post, Latheri Via,
Katpadi Taluk,
Vellore District.

42.Subramani



S/o. Late Thaniga,
Karasamangalam Village and Post, Latheri Via,
Katpadi Taluk,
Vellore District.

43. Prasath

S/o. Late Thaniga,
Karasamangalam Village and Post, Latheri Via,
Katpadi Taluk,
Vellore District.

44. Thulasi Das

S/o. Late Rajamani alias Ponnusamy,
No.322, Pillaiyar Kovil Street,
Melvadukankuttai,
Latteri,
Vellore District.

45. Ranganathan

S/o. Late Rajamani alias Ponnusamy,
No.113, Muslim Street,
Keezvadukankuttai,
Karasamangalam,
Katpadi Taluk,
Vellore District.

46. Vaniyammal alias Triveni

S/o. Late Rajamani alias Ponnusamy,
W/o. Saminathan,
No.76, 5th Cross Street,
Vaitheeswaran Nagar,
Gudiyatham,
Vellore District.

47. Prema

D/o. Late Ponnusamy,
W/o. Lakshmikanthan,
No.3/4, Main Road, Melmurungai,
Melvaithinankupam,
Vellore District.

48. Mohan

S/o. Late Ponnusamy,



No.324, Pillaiyar Kovil Street,
Melvadugankuttai,
Karasamangalam,
Vellore District.

49.Vimala

D/o. Late Ponnusamy,
W/o. Gopal,
No.2, Mariamman Kovil Street,
Ammoor,
Vellore District.

50.Prem Saibaba

S/o. Late Ponnusamy,
No.324, Pillaiyar Kovil Street,
Melvadugankuttai,
Karasamangalam,
Vellore District.

51.Dhanakotti

S/o. Jeyarani,
Melvadugankuttai Village,
Karasamangalam Post, Latheri Via,
Katpadi Taluk,
Vellore District.

..Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the order dated 14.11.2025 passed in I.A.No.11 of 2025 in O.S.No.135 of 2004, on the file of the District Munsif Court of Gudiyattam, Vellore District by allowing this CRP.

For Petitioner(s): MS.V.Jothi Lakshmi
For Respondent(s):

ORDER

Challenging the order passed by the trial Judge in I.A.No.11 of 2025 in O.S.No.135 of 2004 dated 14.11.2025, the present revision has been filed by the



5th defendant.

2. Before the commencement of the trial, the defendants filed applications seeking to set aside the ex parte orders passed against them on various dates and to receive their written statement. However, the trial Court dismissed the said applications on the ground of enormous delay of about 6 to 9 years on the part of the petitioners. Aggrieved by the same, the present revision has been filed.

3. It is seen that some of the defendants had earlier contested the suit, which resulted in an appeal in A.S. No.64 of 2011, followed by a second appeal in S.A. No.871 of 2017. Thereafter, the matter was remanded back to the trial Court. While some parties continued to contest the proceedings, the present defendant had not participated.

4. As on date, the matter stands remanded, and in order to avoid further complications, particularly in a suit for partition, all parties must be afforded an opportunity to contest the case and protect their rights over the property. Denial of such opportunity would result in serious prejudice to the defendants. Though there is a considerable delay, it is the case of the defendants that they were not properly served with notice and, therefore, could not appear before the Court. It is also relevant to note that the trial has not yet commenced. In such circumstances, the reasons assigned by the trial Court in dismissing the



applications are set aside. Accordingly, the interlocutory applications are allowed.

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5. The defendants are directed to cooperate with the trial proceedings. The trial Court is further directed to dispose of the suit within a period of four months from the date of receipt of a copy of this order.

6. In the result, this Civil Revision Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

22-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MPA

To

1. The District Munsif Court of Gudiyattam, Vellore District.
2. The Section Officer, V.R.Section, High Court, Madras.



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T.V.THAMILSELVI, J.

MPA

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