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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2286 of 2026 and CMP No.9899 of 2026

1. Prabhu

Propriaetor, Ravis beauty Parlour, Shop
no.4, Door No.70, Jermiah Road, Vepery,
Chennai 600 007

Petitioner(s)

Vs

1. D.Sathish Kumar

S/o.Late.Durai, Door No.70, Jermiah Road,
Vepery, Chennai 600 007

2.D.Kanchana Mala

W/o.G.Prabakaran, No.392 Kamala Iniya
Illam, 13th Street, Thirumalai Nagar,
Sembakkam, Chennai 600 064.

3.D.Padmini

W/o.Ravichandran, EL-196, A/2, TNHB,
Gandhi Gramam South, Karur 639 004.

4.D.Rekha

W/o.Anantha Kumar, No.1 Kavimani IIIrd
Street, Periyar Nagar, Pallikarnai, Cehnnai
600 100. Prakash (died).

5.P.Vasanth

W/o.Prakash, No.117 AP Road, Choolai,
Chennai 600 112

6.P.Jai Shankar



S/o.Prakash, No.15 Safa Apartments,
Sachidhanandam Street, Kosapet, Chennai
600 012.



7.P.Bhaskar

S/o.prakash, No.55 Baker Street, Choolai,
Chennai 600 012.

8.P.Ravi

S/o.Prakash, no.117 A.P.Road, Choolai,
Chennai 600 112.

Respondent(s)

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 06.04.2026 in M.P.No.11 of 2026 in R.C.O.P.No.1550 of 2015 passed by Judge, XV Small Causes Court, Chennai.

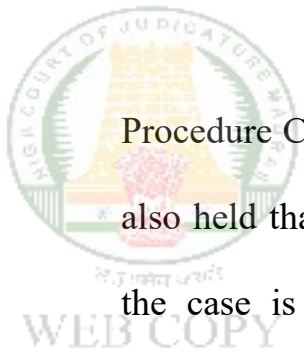
For Petitioner(s): Vijayalakshmi Rajagopal

For Respondents: Mr.N.R.R.Arun Natarajan

ORDER

Challenging the order passed in M.P No.11 of 2026, the first respondent/tenant has filed the present revision.

2. Before the trial Court, the first respondent/tenant has filed an application in M.P.No.11 of 2026 to re-open evidence on his side in order to examine one P.Saravanan, who witnessed the alleged threatening, said to be made by the landlords. On hearing both sides the trial Court dismissed the application holding that reopening the evidence is purely a discretion of the Court under Order XVIII Rule 17 of Civil

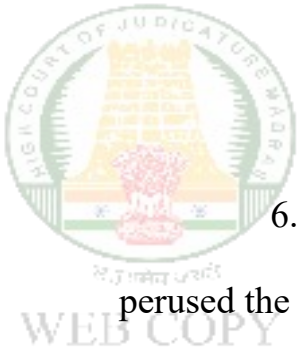


Procedure Code and the same to be used sparingly and cautiously and the trial Court has also held that the first respondent filed application after closing of evidence as well as the case is posted for arguments and he has not furnished sufficient reasons and therefore dismissed the application by relying the decision of the Hon'ble Supreme Court in the case of *M/s Bagi Construction Tr.Prop vs M/s Gupta Building Material Store* reported in *AIR 2013 Supreme Court 1849*. Aggrieved by the same, the first respondent/tenant has preferred the above revision.

3. Learned counsel for the respondents/caveators appeared.

4. Learned counsel for the revision petitioner submits that the petitioner, to prove his defence, wants to examine one Saravanan who has witnessed the alleged threatening made by the landlords, but the trial Court failed to give such opportunity.

5. Learned counsel appearing for the respondents/landlords submits that on earlier occasion in CRP No.1127 of 2018, this Court permitted the revision petitioner/first respondent to examine the said Saravanan on payment of batta and the said order was passed on 22.06.2021. Thereafter, they have not paid the batta and the application was closed. Now the case is posted for arguments and at this stage, the first respondent filed an application only to drag on the proceedings and since 2015 onwards, the respondents/landlords are taking steps to evict the petitioner/tenant.



6. Considered the submissions made by the learned counsel on either side and perused the materials available on record.

7. A perusal of the records would show that this Court by order dated 22.06.2021 in CRP No.1127 of 2018 granted permission to the first respondent to examine the said Saravanan by payment of batta, but, the revision petitioner/first respondent has not complied with the condition. Now the case is posted for arguments and again the first respondent has come forward with an application to examine the said Saravanan.

8. The learned counsel for the revision petitioner/1st respondent submits that the case was dismissed for default on 23.10.2021 and he could not take steps. But, admittedly, the case was restored on 21.06.2024 and thereafter, the case was adjourned to various dates and posted for arguments on 11.02.2026. In the meantime, the first respondent has not taken any steps.

9. On perusal of the counter of the first respondent, no where it is stated by the first respondent that he was threatened by the landlords and also has not stated that the said Saravanan has witnessed the said incident. There is no clear pleadings to that effect. Therefore, the reasons assigned by the revision petitioner/1st respondent is not



sustainable in law and he has filed application only to drag on the proceedings which was rightly dismissed by the trial court which requires no interference.

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10. In the result, the civil revision petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

17.04.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

XV Small Causes Court, Chennai



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sr

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