



CRP No. 3719 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 13-07-2026**

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**THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE**

**CRP No. 3719 of 2026 AND CMP NO. 16139 OF 2026**

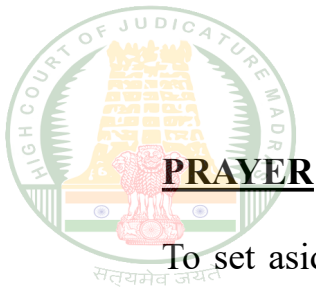
R.Somasundaram

Petitioner(s)

Vs

1. Pankajam
- 2.Muthammal
- 3.Praveen
- 4.Naveen
- 5.B.Sampoornam
- 6.S.G.Sengottaiyan
- 7.C.Prema
- 8.V.Deepa
- 9.M.Saravanan
- 10.S.Geetha
- 11.S.Murugeswari
- 12.K.K.Kumar
- 13.S.Allavudeen
- 14.C.Nirmala
- 15.R.Gopalakrishnan
- 16.C.Jeganathan
- 17.K.Mallika

Respondent(s)

**PRAYER**

To set aside the order made in I.A.No. 2 of 2026 in O.S. No. 179 of 2022 dt. 16.03.2026 passed by the I Additional District Court, Erode.

For Petitioner(s): Mr.P.Muthukumarasamy

For Respondent(s): Mr.I.Abrar Mohammed Abdullah  
For Mr.D.Gopal For Caveator

**ORDER**

This Civil Revision Petition has been filed, challenging the impugned order dated 16.03.2026 passed by the I Additional District Court, Erode in I.A. No.2 of 2026 in O.S. No.179 of 2022.

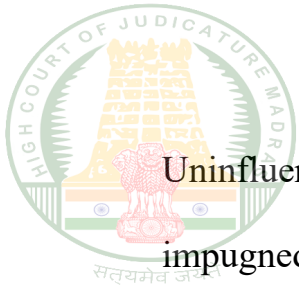
2.Under the aforesaid order, the application filed by the first respondent/plaintiff seeking leave of the Trial Court to file reply statement has been allowed. The contention of the petitioner in this petition is that even though there has been an inordinate delay on the part of the first respondent/plaintiff, which has also been observed in the impugned order, the Trial Court has allowed I.A. No.2 of 2026 granting leave to the first respondent/plaintiff to file reply statement to the written statement filed by the petitioner/second defendant. According to the learned counsel for the petitioner, only to delay the proceedings, I.A. No.2 of 2026 was filed by the first respondent/plaintiff. He would submit that no sufficient cause was shown by the first respondent/plaintiff in the affidavit filed in support of I.A. No.2 of 2026 seeking leave of the Trial Court to file the reply statement.



3. The suit has been filed for partition and for separate possession by the first respondent/plaintiff. In the impugned order, the Trial Court while allowing the application has observed that in order to find out the truth, there is a necessity for the Trial Court to allow I.A. No.2 of 2026, though there is a delay in filing of the same by the first respondent/plaintiff. The rights of the petitioner/second defendant has not been defeated by allowing the application granting leave to the first respondent/plaintiff to file reply statement.

4. Entertaining this petition even though there has been a delay on the part of the first respondent/plaintiff to file I.A. No.2 of 2026, in the interest of justice, will not delay the disposal of the suit. The petitioner/second defendant has got the right to cross examine the first respondent's/plaintiff's witness whenever they get into the box with regard to the necessity for the first respondent/plaintiff to file the reply statement and whether the filing of the reply statement will alter the character of the suit or not.

5. While that be so, this court is not inclined to interfere with the impugned order and has also not gone into the merits of the impugned order. Accordingly, this Civil Revision Petition is disposed of by granting liberty to the petitioner to raise all objections with regard to the filing of the reply statement by the first respondent/plaintiff at the time of cross examination of the first respondent's/plaintiff's witness in the main suit in O.S. No.179 of 2022.



Uninfluenced by any of the observations made by the Trial Court in the impugned order, the Trial Court shall decide the main suit.

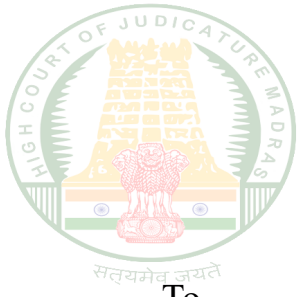
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6. Since the suit is of the year 2013, this Court directs the I Additional District Court, Erode to dispose of the suit within a period of eight months from the date of receipt of a copy of this order. The petitioner is permitted to file rejoinder to the reply statement filed by the first respondent/plaintiff within a period of two weeks from the date of receipt of a copy of this order.

7. After giving due consideration to the year of the suit, this Court directs the Trial Court i.e. the I Additional District Court, Erode to dispose of the suit within a period of eight months from the date of receipt of a copy of this order. Consequently, connected CMP is closed. No costs.

**13-07-2026**

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- 1.The I Additional District Court, Erode.
- 2.The Section Officer, VR Section, High Court, Madras.



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**ABDUL QUDDHOSE J.**

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