

C.R.P. No. 2373 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 28.07.2026

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

C.R.P. No. 2373 of 2025

&

C.M.P. No. 13741 of 2025

K.P. Velu

..Petitioner

Vs.

G. Sampath

..Respondent

Prayer; Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 12.03.2025 passed in I.A. No. 2 of 2024 in O.S. No. 6546 of 2023 by the XIII Assistant City Civil Court, Chennai.

For Petitioner :: Mr.P. Krishnan

For Respondent :: Mr.K. Mohanamurali



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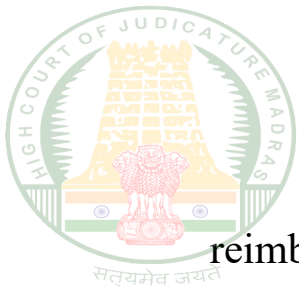
ORDER

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This civil revision petition has been filed challenging the impugned order dated 12.03.2025 passed in I.A. NO. 2 of 2024 in O.S. No. 6546 of 2023 by the XIII Assistant City Civil Court, Chennai.

2. By the aforesaid order, the XIII Assistant City Civil Court, Chennai, has allowed the application filed under Order XXXVII Rule 3(5) CPC by the petitioner by granting leave to defend the suit on condition that the petitioner pays a sum of Rs.3,50,000/- to the respondent/plaintiff on or before 15.04.2025. Aggrieved by the condition imposed by the Trial Court for allowing the leave to defend application, the petitioner has preferred the present civil revision petition.

3. According to the petitioner, he was a tenant under the respondent and he had paid substantial sums of money towards maintenance of the rented premises, which was not



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reimbursed by the respondent. Therefore, according to the petitioner, the Trial Court ought to have granted unconditional leave to defend the suit to the petitioner instead of erroneously granting conditional leave to defend the suit by directing the petitioner to pay a sum of Rs.3,50,000/- to the respondent on or before 15.04.2025.

4. Learned counsel for the petitioner also reiterated the contentions of the petitioner before this Court.

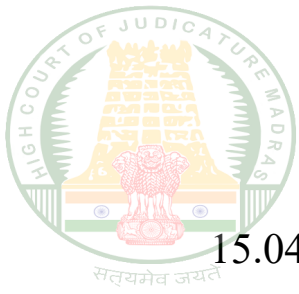
5. On the other hand, learned counsel for the respondent would submit that the allegations made by the petitioner are all false and no documents were produced by the petitioner before the Trial Court in support of his contentions.

6. The suit has been filed by the respondent/plaintiff for recovery of money based on a promissory note. The petitioner has not disputed his signature in the promissory note. The Trial Court has also taken note of the said fact while considering the



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petitioner's application seeking grant of unconditional leave to defend the suit. None of the submissions of the petitioner, namely, the payments said to have to been made by him towards maintenance of the rented property on behalf of the respondent, are supported by any documentary evidence by the petitioner. As seen from the impugned order, no documents have been filed by the petitioner before the Trial Court in support of his contentions. The cheque issued by the petitioner to the respondent for a sum of Rs.5 lakhs towards repayment of loan was also returned dishonoured for 'Insufficiency of Funds'. The said fact has also been recorded by the Trial Court in the impugned order while dismissing the petitioner's application seeking unconditional leave to defend the suit. The Trial Court, after analysing the evidence placed on record by the respondent/plaintiff has granted conditional leave to defend the suit to the petitioner by directing him to pay Rs.3,50,000/- to the respondent on or before



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15.04.2025.

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7. This Court does not find any infirmity in the reasons given by the Trial Court for granting conditional leave to defend to the petitioner.

8. In view of the same, there is no merit in the civil revision petition and the same is dismissed. No costs.

9. *Since the civil revision petition is dismissed, the Trial Court, namely, XIII Assistant City Civil Court, Chennai is directed to list the suit on 11.08.2026 for further orders.*

Connected C.M.P. is closed.

28.07.2026

nv

To

XIII Assistant City Civil Court,
Chennai.



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ABDUL QUDDHOSE,J.

nv

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