



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2026

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4183 of 2026

and

CMP No. 18236 of 2026

1. Loganathan

S/o. Late P.S.Chandrasekar, No.1/141,
Gengaiamman Koil Street, Padianallur,
Chennai 600 052,

2. Kumar

S/o. Late P.S.Chandrasekar, No.1/141,
Gengaiamman Koil Street, Padianallur,
Chennai 600 052,

3. Arumugam

S/o.P.S.Chandrasekar, No.1/141,
Gengaiamman Koil Street, Padianallur,
Chennai 600 052,

Petitioner(s)

Vs

1. R.Bernard Jothi

S/o.Rayappa Nadar, No.205,
Valluvarkottam High Road, Previously
No.16, Tank Road, Nungambakkam,
Chennai 600 034.

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decretal order passed in IA No.2 of 2025 in AS No.1 of 2020 on the file of the Principal District Judge Court, at Thiruvallur dated 01.04.2026 and thereby to dismiss the said petition through out and thus render justice

For Petitioner(s): Mr.R.Krishnasamy



For Respondent(s): Mr.R.Arvind For M/s.G.Daisy
John

ORDER

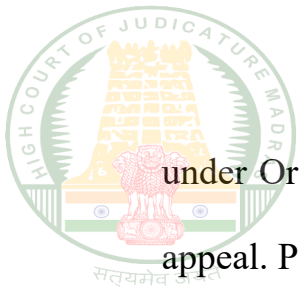
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This Civil Revision Petition has been filed, challenging the impugned order dated 01.04.2026 passed by the Principal District Court, Tiruvallur, in I.A. No. 2 of 2025 in A.S. No. 1 of 2020.

2. In the aforesaid order, the application filed by the respondent under Order XLI Rule 27 of CPC, seeking leave to receive the additional documents in A.S. No. 1 of 2020 has been allowed.

3. The petitioners are the defendants in A.S. No. 1 of 2020, pending on the file of the Principal District Court, Tiruvallur. The learned counsel for the petitioners would submit that any application filed under Order XLI Rule 27, seeking for reception of additional documents as additional evidence in the appeal, will have to be decided along with the main appeal. In support of the said contention, he relied upon a judgment of the Honourable Supreme Court in the case of *Union of India Vs. Ibrahim Uddin and Another* reported in **2012 (8) SCC 148**.

4. As seen from the aforesaid decision, it is made clear that an application



under Order XLI Rule 27 CPC will have to be heard along with the main first appeal. Paragraph No. 52 of the said judgment confirms the said proposition.

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5. The learned counsel for the respondent has also not raised any serious objection, if the impugned order is set aside and the matter is remanded back to the Court below for fresh consideration in I.A. No. 2 of 2025 in A.S. No. 1 of 2020 along with the main appeal, namely A.S. No. 1 of 2020.

6. Since the impugned order has been passed by total non-application of mind to the settled position of law, necessarily, the impugned order has to be quashed and the matter remanded back to the Principal District Court, Tiruvallur for fresh consideration of I.A. No. 2 of 2025, along with the main appeal, namely A.S. No. 1 of 2020.

7. The learned counsel for the respondent submits that since the appeal is of the year 2020, a time frame may be fixed by this Court for the Principal District Court, Tiruvallur, to decide the appeal. No prejudice will be caused if such a direction is issued.

8. For the foregoing reasons, the impugned order dated 01.04.2026 passed

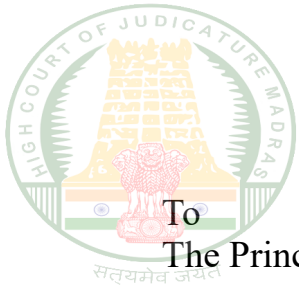


by the Principal District Court, Tiruvallur, in I.A. No. 2 of 2025 in A.S. No. 1 of 2020 is hereby set aside by this Court and the matter is remanded back to the Principal District Court, Tiruvallur and the said Court is directed to hear both the main appeal, namely A.S. No. 1 of 2020, as well as the interlocutory application in I.A. No. 2 of 2025 filed under Order XLI Rule 27 of CPC together and dispose of the same within a period of four months from the date of receipt of a copy of this order.

9. Accordingly, this civil revision petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

24-07-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
The Principal District Court, Thiruvallur.

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ABDUL QUDDHOSE J.

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