



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Revision Petition Nos.4902 & 4920 of 2026

and

C.M.P.No.21494 of 2026

1. Jayalakshmi
W/o.Paul Edward
2. Vasanthakumar,
W/o.Mariasusai
3. Dhanasekaran
S/o.Late. Gopal
4. Manoharan
S/o.Late. Gopal
5. Viviyan
W/o.Late. Raja
6. Minor Reny
S/o.Late. Raja
7. Minor Joe
S/o.Late. Raja

(6th and 7th respondents are minors
represented by 5th respondent being
mother and natural guardian)

8. Ananthi
W/o.Pushpalingam
9. Ramachandran
S/o.late.Gopal

..Petitioners

Vs



1. Kantha
W/o.Samuel
2. Kumudha
W/o.Elumalai
3. Perumal
S/o.late Arumugam
4. Elumalai
S/o.late Arumugam
5. Saraswathi
S/o.late Balan
6. Ebher Muralidaran
S/o.late Balan

Annalammal (died)
7. Kiresha
W/o.Arunodhayam
8. Ruban
S/o.late Samuel
9. Ranjithkumar
S/o.late Samuel
- 10.Jebakumar
S/o.late Samuel

Loganathan (deceased)
- 11.Kanagaraj
S/o.late Chakarapani
- 12.Chitra,
D/o.late Chakarapani
- 13.Subhatra,
D/o.late Chakrapani



14.Lakshmi,
D/o.late Chakrapani

15.Munusamy,
S/o.Elumalai

16.Santhalingam,
S/o.Elumalai

17.Indira
D/o.Elumalai

18.Arumugam
S/o.Elumalai

19.Srinivasan
S/o.Subramanian

20.Lalitha,
W/o.Chinnakannu

21.P.Dhanapushanam
S/o.Perumal Nadar

22.Subramanian,
S/o.Nachimuthu Chetty

23.L.Ramabai,
W/o.late Gopal

24.M.N.Nithya Sudha
W/o.Mohan

25.G.Latha,
W/o.Gopinath

26.L.Prabhu,
S/o.late Gopal

27.Uma Parvathi,
W/o.Udayakumar



28.M.Manju Parkavi,
W/o.Narasimman

..Respondents

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Civil Revision Petitions filed under Article 227 of the Constitution of India praying to set aside the order and decretal order dated 21.04.2026 passed in I.A.Nos.29 & 28 of 2026 in O.S.No.82 of 2014 on the file of the Principal District Judge, Kancheepuram.

For Petitioners :	Mr.R.Thiagarajan
[in both revisions]	
For Respondents :	Mr.K.Premkumar [R4]
[in both revisions]	

COMMON ORDER

These revisions have been filed under Article 227 of the Constitution of India against the orders passed in I.A.Nos.28 and 29 of 2026 in O.S.No.82 of 2014 dated 21.04.2026 by the learned Principal District Judge, Kancheepuram, wherein the applications filed by the petitioners/defendants 7 to 15 under Order XVIII Rule 17 CPC for recalling PW-1 for further cross-examination, came to be dismissed by the Court below.

2. Heard learned counsel for petitioners and learned counsel for fourth respondent and also carefully materials available on record. This Court also went through the orders passed by the Court below.



3. The respondents 1 to 6 filed the suit in O.S.No.82 of 2014 seeking for the relief of declaration and for partition and to allot nine equal shares in the 'A' schedule property and 30 equal shares in the 'B' schedule property. The suit was at the stage of cross-examination of PW-1 by the petitioners/defendants 7 to 15. Since the petitioners did not conclude the cross-examination in spite of the matter being adjourned repeatedly, the Court below closed the evidence of PW-1 and thereafter, the application filed by the petitioners to recall PW-1 came to be dismissed. Aggrieved by the same, the present revisions have been filed.

4. It is seen from records that already this Court, on an earlier occasion, had directed the suit to be disposed of within a time frame and that time has lapsed long back. The Court below took into consideration the conduct of the petitioners in not completing the cross-examination of PW-1 and accordingly, the Court below closed the evidence of PW-1 and refused to entertain the application filed by the petitioners for recall of PW-1 for further cross-examination. The reasons assigned by the Court below while dismissing the applications do not suffer from any perversity. However, considering the properties that are involved in this case and in order to ensure that a fair opportunity is given and as a last chance, this Court is inclined to interfere with the order passed by the Court below subject to stringent condition.



5. It is brought to the notice of this Court that the next date of hearing has been fixed on 16.09.2026 for examination of defendant's side witness. In view of the same, to avoid any further delay, this Court is inclined to prepone the hearing to 31.08.2026. On that date, PW-1 shall be present before the Court and the cross-examination of PW-1 by petitioners/D7 to D15 shall be completed on the same day or if it spills over, the next day i.e. 01.09.2026. Insofar as the examination of witnesses on the side of defendants is concerned, the Court below can stick on to the original date that was fixed on 16.09.2026. Since the delay has been caused by petitioners, there shall be a direction to the petitioners to pay a cost of Rs.20,000/- [Rupees Twenty Thousand only] to the learned counsel for plaintiffs on the date of hearing i.e. 31.08.2026. If this condition is not satisfied, the right of the petitioners to recall PW-1 for further cross-examination will stand forfeited. If this condition is satisfied, the time frame fixed by this Court for further cross-examination of PW-1 shall be strictly complied with. Subject to this condition, the order passed in I.A.Nos.28 and 29 of 2026 in O.S.No.82 of 2014 dated 21.04.2026 by the learned Principal District Judge, Kancheepuram, is set aside.

6. Considering the fact that the suit is of the year 2014, there shall be a direction to the learned Principal District Judge, Kancheepuram, to complete the proceedings within a period of four (4) months from 31.08.2026 and a compliance report shall be filed before this Court.



In the result, these civil revision petitions are disposed of in the above terms. No costs. Consequently, connected miscellaneous petition is closed.

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19-08-2026

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

To
The Principal District Judge,
Kancheepuram.



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CRP Nos.4902 & 4920 of 2



N.ANAND VENKATESH, J.

gm

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