



CRP No. 2916 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

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1. M/s.Parthas,
Building No.1515, Ward 38, Post Box No.5716,
Power House Road,
Thiruvananthapuram – 695 20.036,
Rep by its Managing Partner. S. Arjunan
(Amended as per Order dated 03.02.2024 in
I.A.No.1 of 2024 in O.S.No.3957 of 2021)
2. S.Arjunan,
Managing Partner of M/s. Parthas,
TC No.5/2353-1, Parthas Building,
Golf Links Road, Kowdiar,
Thiruvananthapuram – 695 003.
(Impleaded as per Order dated 03.02.2024 in
I.A. No.1 of 2024 in O.S.No.3957 of 2021)

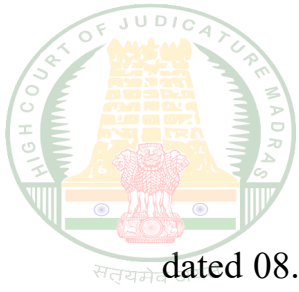
..Petitioners

Vs

1. R.Dhanalakshmi
2. R.Anantha Kumar
3. R.Veeresh Kumar
4. Standard Chartered Bank,
Having its Regional Office at Hadows Road,
Chennai – 600 006.

..Respondents

Prayer : Civil Revision Petition is filed under Article 227 of Constitution of India, praying to allow this Civil Revision Petition by setting aside the order



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dated 08.04.2025 in I.A.No.5 of 2024 in O.S.No.3957 of 2021 on the file of the XV Additional Judge in the City Civil Court at Chennai and allowing I.A.No.5 of 2024 in O.S.No.3957 of 2021 as prayed for.

For Petitioners: Mr.Madhan Babu

For Respondents: Mr.S.L.Sudarsanam [R1 to R3]
M/s.S.Aiswerya
for M/s.R & P Partners [R4]

ORDER

This Civil Revision Petition has been filed challenging the impugned order dated 08.04.2025 passed by the XV Additional City Civil Court at Chennai in I.A.No.5 of 2024 in O.S.No.3957 of 2021.

2. The petitioners are the plaintiffs in O.S.No.3957 of 2021 pending on the file of XV Additional City Civil Court at Chennai and the respondents are the defendants in the said suit. The suit was filed by the petitioners against the respondents seeking for specific performance of an agreement of sale. In the aforesaid order dated 08.04.2025 passed in I.A.No.5 of 2024 in O.S.No.3957 of 2021, the trial court had dismissed the application filed by the petitioners seeking permission to file the reply statement to the additional written statement filed by the respondents in the main suit. The respondents were permitted to file an additional written statement if they so desired by this Court on 28.10.2024 in



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C.R.P.No.2821 of 2024 insofar as the right not to pay the interest for the period

during which the suit was dismissed for default. The respondents have exercised their liberty to file their additional written statement pursuant to the directions issued by this Court on 28.10.2024 in C.R.P.No.2821 of 2024 and filed the additional written statement before the trial court accordingly. In view of the additional written statement filed by the respondents, the petitioners sought leave of the trial court to file their reply statement to the additional written statement filed by the respondents by filing I.A.No.5 of 2024. The said IA has been dismissed by the trial court through the impugned order dated 08.04.2025, which is the subject matter of this revision.

3. Learned counsel for the petitioners would contend that the petitioners were constrained to file the reply statement only due to the fact that the respondents were granted liberty to file additional written statement and they had also filed the same before the trial court. However, the learned counsel for the respondents 1 to 3 would submit that the petitioners can be allowed to file reply statement only insofar as the contentions of the respondents pleaded in their additional written statement. However, according to him, the petitioners have exceeded their rights to file the reply statement by raising additional

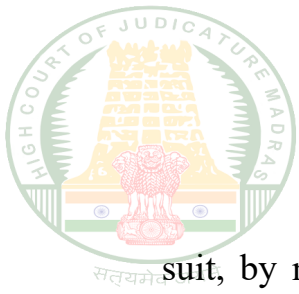


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grounds in their reply statement and they did not restrict their ground only to the contents of the additional written statement filed by the respondents. The trial court while dismissing the application under the impugned order has held that the reply statement filed by the petitioners cannot be entertained by accepting the contentions of the respondents and by holding that the petitioners have gone beyond the contentions raised by the respondents in their additional written statement. However, learned counsel for the petitioner would submit that the averments contained in the reply statement are restricted only to the contents of the additional written statement, but the trial court has erroneously misconstrued the contents of the reply statement by erroneously holding that the petitioners have gone beyond the contents of the additional written statement filed by the respondents.

4. Being a debatable issue, the trial court should have left it open for the parties to agitate in the main suit instead of dismissing the application filed by the petitioners seeking leave of the trial court to file reply statement. By dismissing the application, the trial court has only delayed the disposal of the suit. If the application was allowed without prejudice to the rights and contentions of the respective parties to agitate their respective rights in the main



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suit, by now, the suit would have got disposed of. This Court expressed this view to the learned counsel for the respondents 1 to 3, who would fairly now submit that, if this Court is inclined on allowing this revision, the respondents may be permitted to file sur-rejoinder to the reply statement filed by the petitioners. Learned counsel for the petitioners has also not raised any serious objection if such a permission is granted by this Court. Since the contentions of the respective parties before this Court are debatable as regards whether the petitioners have exceeded the scope of the additional written statement filed by the respondents or not, this Court has to necessarily interfere with the impugned order by setting aside the same and by leaving it open for the parties to agitate in the main suit, which will also be in the interest of justice and in the interest of early disposal of the suit.

5. For the foregoing reasons, the impugned order dated 08.04.2025 passed by the XV Additional City Civil Court at Chennai in I.A.No.5 of 2024 in O.S.No.3957 of 2021 is hereby set aside and this revision is disposed of by this Court by issuing the following directions :-

(a) The trial court, namely the XV Additional City Civil Court at Chennai is directed to receive the reply statement filed by the petitioners/plaintiff to the additional written statement filed by



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the respondents/defendants and take the same on file of the suit in O.S.No.3957 of 2021;

(b) The respondents/defendants are directed to file their sur-rejoinder, if any, before the trial court, within a period of two (2) weeks from the date of receipt of a copy of this order ;

(c) The trial court, namely the XV Additional City Civil Court at Chennai shall frame additional issues based on the additional pleadings of the respective parties, within a period of two (2) weeks thereafter ;

(d) The trial court, namely the XV Additional City Civil Court at Chennai is directed to dispose of the suit in O.S.No.3957 of 2021, after conducting the trial, within a period of eight (8) months from the date of receipt of a copy of this order ;

6. With the above observations and directions, this Civil Revision Petition is disposed of. No costs.

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

The XV Additional City Civil Court,
Chennai.



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ABDUL QUDDHOSE J.

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