



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2026

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4185 of 2026

and

CMP No. 18246 of 2026

1. S.Santhosh Kumar
S/o. Suresh, No.10, Annal Gandhi
Street, Vetri Nagar, Chennai-82

Petitioner(s)

Vs

1. V.Poornachandran
S/o. Vinayagamoorthis, No.2/29,
Dhasanamoorthis Street, Vetri Nagar,
Chennai-82.

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decretal order dated 18.04.2026 passed in IA No. 6 of 2026 in OS No. 2283 of 2024 on the file of the Learned XII Assistant Judge, City Civil Court, Chennai, Consequently permit the petitioner/Defendant to adduce further evidence and proceed with the trial in accordance with law, and thus render justice.

For Petitioner(s): Mr.J.Joseph Stalin For
Mr.N.Beulah John Selvaraj

For Respondent(s): Mr.T.Suresh

**ORDER**

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This Civil Revision Petition has been filed, challenging the impugned order dated 18.04.2026 passed by the XII Assistant City Civil Court, Chennai, in I.A. No. 6 of 2026 in O.S. No. 2283 of 2024.

2. In the aforesaid order, the application filed by the petitioner/defendant, seeking to reopen the petitioner / defendant side evidence, has been allowed, on condition that the petitioner/defendant pays a cost of ₹3,000/- to the respondent/plaintiff on or before 21.04.2026. Admittedly, the petitioner/defendant did not pay the cost within the stipulated time fixed by the Court below under the impugned order.

3. The learned counsel for the petitioner would submit that there was delay on the part of the petitioner to pay the cost. He would submit that the petitioner's counsel before the lower Court had given the cost to the junior counsel of the respondent's counsel after the deadline fixed under the impugned order and the same has been returned back to the petitioner.

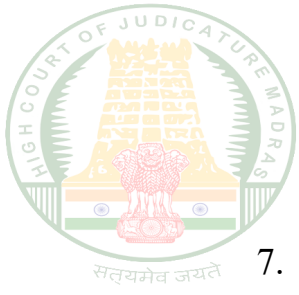
4. The learned counsel for the petitioner submits that the petitioner is willing to pay the cost of Rs.3,000/- as directed by the Trial Court to the



respondent. Since the petitioner did not pay the cost within the time fixed by the Trial Court under the impugned order, necessarily, the petitioner will have to pay, in addition to the cost fixed by the Trial Court, another sum of Rs.2,000/- to the respondent's counsel before the Trial Court for allowing the application filed to reopen the petitioner/defendant side evidence.

5. The learned counsel for the respondent is also present. As seen from the impugned order, several adjournments were granted earlier to the petitioner/defendant for completing his side of the evidence. Only under those circumstances, cost was imposed on the petitioner by the Trial Court under the impugned order for allowing the application filed to reopen the petitioner/defendant side evidence.

6. Since the cost was not paid by the petitioner within the stipulated time, and since the petitioner has been delaying the proceedings, as seen from the impugned order, this Court directs the petitioner/defendant to pay cost of Rs.5,000/- to the respondent's counsel before the Trial Court within a period of three days from today and on payment of the said cost, the impugned order dated 18.04.2026 passed by the Trial Court in I.A. No. 6 of 2026 in O.S. No. 2283 of 2024 is set aside and the petitioner/defendant side evidence is reopened.



7. However, the petitioner/defendant has to be examined as witness before the XII Assistant City Civil Court, Chennai, on 10.08.2026 without fail.

A direction is also issued to the XII Assistant City Civil Court, Chennai, that after recording evidence of the petitioner/defendant on 10.08.2026, the Trial Court is directed to dispose of the suit within a period of eight weeks thereafter.

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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CRP No. 4185 of 2026



To

The XII Assistant Judge, City Civil Court, Chennai.

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ABDUL QUDDHOSE J.

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