



CRP No. 4182 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2026

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4182 of 2026

1. K.Paramasivam
S/o. Karuppannan D.No. 2-382,
Naduvelappam Palayam Poomalur
Village Palladam Taluk Tiruppur Dist

2. P.Murugambal
W/o. Paramasivam D.No. 2-382,
Naduvelappam Palayam Poomalur
Village Palladam Taluk Tiruppur Dist

Petitioner(s)

Vs

1. S.Kathirvel
S/o. Subramaniam No. 27-2/25, Balaji
Extention Ramanathapuram
Coimbatore

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the Impugned order dt. 29.4.2025 passed in IA No.5 of 2025 in OS No. 170 of 2024 by the Learned Sub-Ordinate Judge, Palladam, Tiruppur Dist

For Petitioner(s): Mr.M.Vijaya Ragavan

For Respondent(s): Notice dispensed with



ORDER

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This Civil Revision Petition has been filed, challenging the impugned order dated 29.04.2025 passed by the Sub Court, Palladam, in I.A. No. 5 of 2025 in O.S. No. 170 of 2024.

2. In the aforesaid order, the application filed by the petitioners, who are the defendants in the suit O.S. No. 170 of 2024, seeking to reopen the defendants' side evidence has been dismissed.

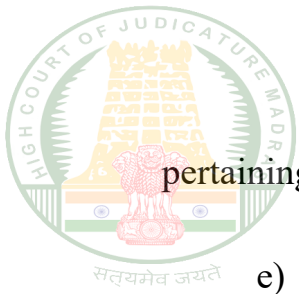
3. While dismissing the application, the Trial Court has given the following reasons:

a) The plaintiffs' side evidence was closed on 21.01.2025 and it was kept open for defendants side evidence;

b) The first defendant was examined as D.W.1 on 07.02.2025 and thereafter, an application was filed by the defendants to reopen the case for further defendants side evidence and one third party was examined as D.W.2;

c) Likewise, the son of the defendants was examined as D.W.3 and through him Exhibits B4 to B6 were marked;

d) Once again, the defendants had filed an interlocutory application under Order XXVI Rule 10 to recall the register from the Sub Registrar Office

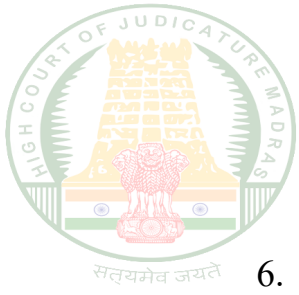


pertaining to the mortgage deed and the same was dismissed;

e) The case was posted for arguments of both sides and after three hearings I.A. No.5 of 2025 was filed by the defendants through a new counsel by stating that due to the illiteracy of the defendants, they had erroneously admitted their signature in the subject mortgage deed and hence, there became a necessity for further examination of the defendants.

4. Since sufficient cause was not shown by the petitioners/defendants, the application was dismissed. The suit has been filed for recovery of money based on a mortgage deed. The suit is of the year 2024. Admittedly, the present application, which was dismissed by the Trial Court, was filed only during the arguments stage. If the petitioners/defendants were of the opinion that the mortgage deed based on which the suit was filed is a fabricated document, they ought to have filed the interlocutory application at the earliest point of time, at least immediately after filing of the written statement.

5. As seen from the impugned order, the petitioners/defendants have been protracting the proceedings. This Court does not find any infirmity in the impugned order as no sufficient cause has been shown by the petitioners for filing the application and the said application has also been filed belatedly.



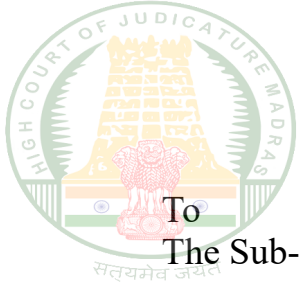
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6. For the foregoing reasons, this court does not find any merit in this Civil Revision Petition. Accordingly, this Civil Revision Petition is dismissed.

No Costs.

24-07-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
The Sub-Ordinate Court, Palladam, Tiruppur.

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ABDUL QUDDHOSE J.

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