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C.R.P. No. 4435 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2026

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

C.R.P. No. 4435 of 2026

&

C.M.P. No. 19556 of 2026

K. Velmurugan

..Petitioner

Vs.

S. Mageshwari

..Defendant

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India as against the docket order dated 15.07.2026 passed in I.A.SR. No. 2775 of 2026 in O.S. No. 255 of 2024 by the learned Subordinate Judge, Vandavasi.

For Petitioner :: Mr.B. Govindaprabu

O R D E R

This civil revision petition has been filed challenging the impugned docket order dated 15.07.2026 passed by the Sub Court, Vandavasi in I.A.SR No. 2775 of 2026 in O.S. No. 255 of 2024.



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2. By the impugned docket order dated 15.07.2026, the

application filed by the petitioner to issue subpoena to the Inspector of Police, District Crime Branch, Office of the Superintendent of Police, Tiruvannamalai to produce all the records and documents disclosed in the schedule to the petition has been returned to the petitioner/defendant by giving the following reasons:

- (a) *The suit is of the year 2019;*
- (b) *Regarding the Police enquiry conducted in the year 2018, the petition filed by the petitioner in I.A.SR. No. 2775 of 2026 is a belated one;*
- (c) *Any enquiry by the Police Officer or any finding of the Police Officer is not binding upon the civil proceedings; and*
- (d) *If criminal liability is involved, the Criminal Court will decide the said issue and not the Civil Court.*
- (e) *Issues have already been framed in the suit and if I.A.SR.No. 2775 of 2026 is taken on file, it will unnecessarily prolong the proceedings in the suit.*

3. The suit has been filed for recovery of money by the respondent against the petitioner based on a promissory note. The petitioner



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has already filed the written statement and has also cross-examined the respondent's/plaintiff's witnesses. The contentions raised by the petitioner in the affidavit filed in support of I.A.SR. No. 2775 of 2026 could have very well been raised by the petitioner/defendant during the cross-examination of respondent's/plaintiff's witnesses.

4. Admittedly, the suit is of the year 2019 and the application in I.A.SR. No. 2775 of 2026 has been filed at a belated stage i.e., after the completion of cross-examination of respondent's/plaintiff's witnesses. The application of the petitioner in I.A.SR. No. 2775 of 2026, if entertained, as rightly pointed out by the Trial Court, will only prolong the disposal of the suit.

5. This Court does not find any infirmity in the reasons given by the Trial Court for dismissing the petitioner's application.

6. For the foregoing reasons, this Court does not find any merit in the civil revision petition and the same is dismissed. No costs. Connected C.M.P. is closed.

27.07.2026

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ABDUL QUDDHOSE,J.

nv

To

The Sub Court, Vandavasi

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