



C.R.P. No. 4403 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 27.07.2026

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.R.P.No. 4403 of 2026

&

C.M.P. No. 19416 of 2026

Saraswathi Devi

..Petitioner

Vs.

Ganesamurthy

..Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decretal order dated 29.06.2026 passed in I.A. No. 3 of 2026 in O.S. No. 181 of 2018 by the learned II Additional District Judge, Erode.

For Petitioner :: Mr.D. Gopal



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ORDER

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This civil revision petition has been filed challenging the impugned order dated 29.06.2026 passed by the II Additional District Court, Erode in I.A. No. 3 of 2026 in O.S. No. 181 of 2018.

2. By the aforesaid order, the application filed by the petitioner/defendant seeking for a direction to the respondent/plaintiff to produce the petition mentioned documents has been dismissed.

3. The Trial Court, by the impugned order, dismissed the petitioner's application by giving the following reasons:

(a) *The petitioner/defendant has not specifically pleaded in the application that the documents required by her are all in the possession and enjoyment of the respondent/plaintiff;*

(b) *The reasons stated by the petitioner/defendant*



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in the application are all not acceptable;

(c) The application filed by the petitioner/defendant is apparently filed only to drag on the case and;

(d) The application filed by the petitioner is an abuse of process of Court.

4. It is an admitted fact that the application in I.A. No. 3 of 2026 was filed by the petitioner/defendant under Order XI Rule 14 read with 151 CPC seeking to direct the respondent/plaintiff to produce the petition mentioned documents only at the fag end of the trial. The suit is of the year 2018 whereas the application has been filed by the petitioner/defendant only in the year 2026.

5. Even though the written statement was filed by the petitioner/defendant on 25.01.2019, for reasons best known to the petitioner/defendant, she chose to file an application seeking for the production of petition mentioned documents only in the



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year 2026. Though the petitioner/defendant made a claim that in the cross-examination of the respondent/plaintiff, the respondent/plaintiff had deposed that he will be producing the income tax returns, the documents agreed to be produced were not produced by the respondent/plaintiff and therefore, the application was filed by the petitioner/defendant. The Trial Court has considered all the contentions of the petitioner/defendant and only thereafter has dismissed the petitioner's application under the impugned order by giving the aforesaid reasons.

6. The petitioner/defendant has filed the application belatedly during the time of trial, when the said application could have been filed along with written statement or before framing of issues by the Trial Court. In such circumstances, the question of entertaining such an application, at a belated stage, does not arise. The Trial Court has rightly dismissed the petitioner's application under the impugned order. The suit is of the year 2018 and the



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application has been filed only in the year 2026. Since this Court does not find any infirmity in the impugned order, this civil revision petition is dismissed. No costs. Connected C.M.P. is closed.

27.07.2026

nv

To

The II Additional District Court,
Erode.



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ABDUL QUDDHOSE,J.

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