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CRP No. 4622 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4622 of 2026 and CMP No. 20271 of 2026

1. S.Chandrasekar
2. Anitha
3. Vasanthakumarai

Petitioner(s)

Vs

Geethalakshmi

Respondent(s)

PRAYER

To set aside the order dated 01.06.2026 passed in I.A.No.6 of 2026 in O.S.No.206 of 2024 by the Honble II Additional District Judge, Tindivanam, by allowing the Civil Revision Petition.

For Petitioner(s): Mr.S.Parthasarathy Senior
Counsel for Mr.N.S.Karthikeyan

For Respondent(s): Mr.T.M.Naveen Counsel for
Caveator

ORDER

This Civil Revision Petition has been filed, challenging the impugned docket order dated 01.06.2026 passed by the II Additional District Judge, Tindivanam in I.A. No.6 of 2026 in O.S. No.206 of 2024.



2.The petitioners are the defendants in the suit O.S. No.206 of 2024.

Under the impugned order, an application filed by the respondent/plaintiff seeking interrogatories as per Order XI Rule 1 and 2 of CPC has been allowed.

3.The petitioners have challenged the impugned order on the ground that the impugned order is a cryptic docket order without assigning any reason or recording its satisfaction regarding the necessity, relevancy or admissibility of the interrogatories.

4.Learned Senior Counsel appearing for the petitioners would submit that no sufficient opportunity was granted to the petitioners in I.A. No.6 of 2026 before the same was disposed of through the impugned order. Learned Senior Counsel appearing for the petitioners also drew the attention of this Court to the interrogatories raised by the respondent/plaintiff and would submit that insofar as interrogatory No.1 is concerned, the said information has already been given by the petitioners through their written statement. The petitioners also contend that since no opportunity was granted to them, they have not been able to raise their objections with regard to the interrogatories sought for by the respondent/plaintiff.

5.On the other hand, the learned counsel for the respondent/plaintiff would submit that several opportunities were granted to the petitioners to file



their counter in the interrogatory application filed by the respondent/plaintiff, but despite the same, the petitioners/defendants failed to file counter and only due the said reason, the application came to be allowed. He would submit that as per Order XI Rule 7 of CPC, any order passed by the Trial Court for directing the petitioners/defendants to give answers for the interrogatories can also been challenged by filing an application seeking to set aside the order but instead of filing such an application, the petitioners/defendants have directly approached this Court by filing this Civil Revision Petition.

6. Admittedly, as seen from the impugned docket order, no reasons have been given for allowing the interrogatory application filed by the respondent/plaintiff under Order XI Rule 1 and 2 of CPC. Under Order XI Rule 2 of CPC, the Trial Court will have to decide the application only after taking into account the objections raised by the respondents in interrogatory application filed under Order XI Rule 1 and 2 of CPC. Though the petitioners/defendants have not filed their counter in the said application, the reasons for allowing interrogatory application have not been stated by the Trial Court. The Trial Court has also not gone into the merits of the respondent's/plaintiff's application seeking for interrogatories in the impugned order. Excepting for stating that counter has not been filed, no other reasons have been given by the Trial Court for allowing the interrogatory application filed by the respondent/plaintiff.



7. Being a non-speaking order and being a cryptic order, this Court deems it fit to set aside the impugned order and remand the matter back to the very same Trial Court for fresh consideration, on merits and in accordance with law.

Therefore, the submission made by the learned counsel for the respondent/ plaintiff that there is a provision available under Order XI Rule 7 of CPC seeking to set aside the order does not arise.

8. In the instant case, the impugned order is a cryptic order and is a non-speaking order and the Trial Court has not given due consideration to Order XI Rule 2 of CPC.

9. For the foregoing reasons, the impugned order dated 01.06.2026 is hereby set aside by this Court and the matter is remanded back to the very same Trial Court i.e. II Additional District Judge, Tindivanam for fresh consideration of I.A. No.6 of 2026 in O.S. No.206 of 2024, on merits and in accordance with law.

10. The petitioners/defendants are directed to file their counter in I.A. No.6 of 2026 within a period of one week from the date of receipt of a copy of this order. On receipt of the counter within the stipulated time, the Trial Court II Additional District Judge, Tindivanam shall dispose of I.A. No.6 of 2026 within a period of three weeks thereafter.



11.This Court is not expressing any opinion on the merits of the respective contentions.

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12.In view of the order passed today in this Civil Revision Petition, the learned counsel for the respondent/plaintiff would submit that the application filed to strike off the defence of the petitioners/defendants in the suit will be withdrawn. With the above observation, this Civil Revision Petition is disposed of. Consequently, connected CMP is closed. No costs.

06-08-2026

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To

The II Additional District Judge, Tindivanam



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ABDUL QUDDHOSE J.

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