



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Revision Petition Nos.4906 & 5079 of 2026

and

C.M.P.No.22197 of 2026

1. N.Mahesh Kumar
S/o. Nataraj
2. N.Sivagirinathan
S/o.Nataraj
3. N.Rukmani
W/o.Nataraj

..Petitioners in both
revisions

Vs

1. Manju Latha Jain
W/o.Shri Jinendra Mahaveer Jain
2. Jinendra Kumar Jain
S/o.Shri Mahaveer Chand Plawar
represented by its Power agent
Suresh Chand Sutaliya
S/o.Bhawaralal Sutaliya
3. The Tahsildar,
Perur, Coimbatore 641 010.
4. The District Collector,
Coimbatore 641 018.

..Respondents in both
revisions

Civil Revision Petitions filed under Article 227 of the Constitution of India praying to set aside the order and final order dated 24.03.2026 passed in I.A.Nos.6 & 5 of 2026 in O.S.No.1093 of 2020 on the file of Principal Subordinate Judge, Coimbatore.



For Petitioners :
[in both revisions]
For Respondents :
[in both revisions]

Mr.K.Sudhakar

Mrs.S.Yogalakshmi
Additional Government Pleader
[R3 & R4]

COMMON ORDER

These civil revision petitions have been filed against the orders dated 24.03.2026 passed in I.A.Nos.6 & 5 of 2026 in O.S.No.1093 of 2020 on the file of learned Principal Subordinate Judge, Coimbatore, wherein the applications filed by respondents 1 & 2/plaintiffs to reopen and recall PW-1 for filing additional documents, came to be allowed by the Court below.

2. Heard learned counsel for petitioners and learned Additional Government Pleader appearing for respondent 3 and 4 and carefully perused the materials available on record. This Court also went through the impugned orders.

3. The respondents 1 & 2 are plaintiffs in the suit filed in O.S.No.1093 of 2020 seeking for the relief of declaration and permanent injunction. The suit was at the stage of trial and PW-1 was on the box and the petitioners were supposed to cross-examine PW-1. At that stage, the applications came to be filed in I.A.Nos.6 & 5 of 2026 in O.S.No.1093 of 2020 to reopen and recall PW-1 on the ground that certain additional documents will have to be marked.



These applications came to be allowed by the Court below. Aggrieved by the same, the present revisions have been filed.

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4. The main ground urged by learned counsel for petitioners is that there was absolutely no reason assigned in the affidavits filed in support of the applications as to why additional documents were not able to be marked at the time of cross-examining PW-1 and as to why it took more than 6 years to file those documents.

5. In the considered view of this court, the Court below has exercised its discretion by considering the fact that the suit was at the stage of cross-examination of PW-1. Even if the evidence of PW-1 is reopened and recalled for the purpose of filing additional documents, if there is any objection in marking the documents, the same can be raised by the petitioners at the time of marking the documents. Even if the documents are marked, the petitioners have a valuable right of cross-examining PW-1 including putting questions pertaining to additional documents. Hence, no prejudice is going to be caused for the petitioners by recalling PW-1 for marking additional documents.

6. The order passed by the Court below does not suffer any perversity warranting interference of this Court in exercise of its jurisdiction under Article 227 of the Constitution of India.



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N.ANAND VENKATESH, J.

gm

7. It is made clear that if the petitioners have any objection regarding the additional documents that are sought to be marked, the petitioners can raise their objections at the time of marking the documents. It goes without saying that the petitioners will also have a valuable right of cross-examining PW-1.

In the light of the above discussion, these civil revision petitions are dismissed. No costs. Consequently, connected miscellaneous petition is closed.

19-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
gm

To
The Principal Subordinate Judge,
Coimbatore.

Civil Revision Petition Nos.4906 & 5079 of 2026