



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CRP No. 4943 of 2026

and

CMP No.21597 of 2026

Pachiammal (Died)

1. Myilsamy

Kuyilsamy (Died)

2. Nanjundamurthy

3. Annapoorani

4. Chinna Thangam

5. Boopathy

6. Muthukumarasamy

7. Bhuvaneshwari

8. Velumani

9. Girija Devi

10.Kaviya Dharshini

11.Minor Dharmeswaran
S/o Sunderrajan

represented by his mother and natural guardian
Velumani

12.K.Valliyanayagam

13.Arun Kumar



14.K.Suganthipriya

..Petitioner(s)

Vs

1. Padmavathy

2. Mohan Ganesh

3. Vijayaraj

4. Murugan

5. Nagendran

6. K.Loganathan

7. M.Chinnakutty

..Respondent(s)

Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the fair and decretal order dated 08.07.2026 made in IA.No.12 of 2026 in OS.No.1166 of 2013, on the file of the I Additional Subordinate Judge, Coimbatore.

For Petitioner(s): Mr.T.Arunkumar

ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India as against the fair and decretal order dated 08.07.2026 passed in IA.No.12 of 2026 in OS.No.1166 of 2013, on the file of the I Additional Subordinate Judge, Coimbatore, wherein, the application filed by the petitioners/plaintiffs for reopening the case for further examination of the witnesses on their side came to be dismissed by the Court below.



2.This Court heard the learned counsel appearing for the petitioners and carefully perused the materials available on record. This Court also carefully went through the order passed by the Court below.

3.The petitioners are the plaintiffs who filed the suit in OS No.1166 of 2013 seeking for the relief of partition and for allotment of the respective shares to the plaintiffs. The evidence was over by 16.06.2026 and at this stage, the petitioners filed the application for re-opening the case for further examination on the ground that the concerned officials from the Electricity Board must be summoned to produce the relevant records pertaining to the agricultural electricity connection which stood in the name of their grand father Kaliappa Gounder.

4.The Court below while considering the application came to a conclusion that the present application has been filed only with a view to cover up the lacuna and to get over certain admissions that were made by PW1 during the cross examination. Accordingly, the Court below dismissed the application. Aggrieved by the same, the present Civil Revision Petition has been filed before this Court.

5.The main ground that was urged by the learned counsel for the petitioners is that the petitioners were not attempting to cover up the lacuna and



they were only attempting to bring in certain vital records which are public records and that the same will not in any way cause prejudice to the parties.

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6. In the considered view of this Court, the following reason was assigned by the Court below while dismissing the application,

iii) It is needless to say that PW1 who examined on the side of the petitioners/plaintiffs clearly admitted that “Kaliappa Gounder died in the year 1955”. That being so, the contentions of the petitioners that the said Kaliappa Gounder died in the year 1975 and that he obtained a Electricity Service Connection for agricultural purpose in his name in the year 1965 and that in order to prove the said facts it would be necessary to summon and examine the concerned officials from the Electricity Board so as to produce relevant documents relating to the said Electricity Service Connection is legally unsustainable in as much those contentions have been raised by the petitioners only to get over the clear and unequivocal admissions made by PW1 during his cross examination. Thus the present attempts of the petitioners are nothing but fill up the lacunae as rightly pointed by the respondents in their counter affidavit.

7. The Court below had applied its mind and found that the suit was of the year 2013 and during the year 2026, the present application came to be filed and the said application has been filed only with a view to cover up the lacuna. This



finding rendered by the Court below does not suffer from any perversity warranting interference by this Court in exercise of its jurisdiction under Article 227 of the Constitution of India.

8. In the light of the above discussions, the order passed by the Court below in IA.No.12 of 2026 in OS.No.1166 of 2013, dated 08.07.2026 is sustained and the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

19-08-2026

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

SLI

To
The I Additional Subordinate Judge,
Coimbatore.



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N.ANAND VENKATESH, J.

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