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CRP.Nos.3639 & 3640 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on:21.07.2026

Pronounced on:24.07.2026

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

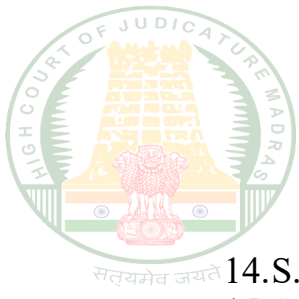
**CRP. Nos.3639 & 3640 of 2026
and CMP. No.15796 of 2026**

S.A.Asokan

Petitioner in both CRPs

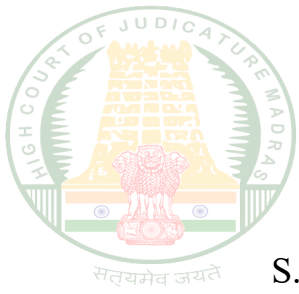
Vs

- S.G.Appaswami (deceased)
S.G.Rangan(Deceased)
1. S.G.Venkatesan,
S.G.Vedachalam(decd)
S.G.Ekambaram(decd)
 2. S.G.Sivasankaran,
S.R.Ayothirajan(decd)
S.R.Subash(decd)
S.R.Maheswaran alias Velu (decd)
 3. S.R.Karthikeyan
 4. Parameswari
S.A.Rajeswari Ammal (Died)
 5. Manonmani
 6. S.A.Karunanidhi
 7. Palanibai,
S.A.Murugan (decd)
 8. Amuthavalli
 9. Mangaiyar Thilagam
 - 10.S.A.Anandhan
 - 11.S.A.Selvaperumal,
Ravi Kantha Ekambaram (decd)
 - 12.M.Malathi
 - 13.S.E.Suresh



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- 14.S.E.Jayanthi Lakshmi
- 15.S.Shanthi
- 16.S.Saranya
- 17.S.Suriya
- 18.Sarathkumar,
S.A.Thillai (decd)
- 19.Vennila
- 20.M.Brinda
- 21.M.Malar
- 22.M.Nandini
S.G.Adhimoolam (Died)
- 23.V.L.Ravi
Kanchana (Died)
S.A.Sivaji Ganesan(Decd)
S.A.Kasi (Decd)
- 24.S.A.Viswanathan
- 25.S.A.Sridharan
- 26.K.Meenakshi
- 27.Uma Ravi
- 28.N.Usha
- 29.S.A.Srinivasan
- 30.P.Gunasundari
- 31.V.Padmini
- 32.S.V.Soundarrajan
- 33.V.Sathyabama alias Vijaya Nirmala
- 34.V.Geetha
- 35.A.Revathi
- 36.A.Dhandabani
- 37.A.Shanmuga Priya
- 38.Sumathi
- 39.Dinesh Kumar
- 40.Narashiman
- 41.T.Savithri
- 42.T.Vinayagam
- 43.T.Chitralatha
- 44.S.Jayanthi
- 45.Minor Yuvashree,
D/o Late.T Sathish Kumar
Represented by Mother and guardian



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S.Jayanthi
46. Minor Madhumithran,
Son of Late.T.Sathish Kumar
Represented by Mother and guardian
S.Jayanthi
47.N.V.Kuppusamy
48.S.Sridevi
49.K.Sivakumar
50.K.Nanthakumar
51.R.Jamunarani
52.S.Vaidagi
53.K.Gayathri
54.K.Balaji
55.K.Kavitha
56.K.Hariharan

Respondent in both CRPs

COMMON PRAYER: This Civil Revision Petition is filed under Section 115 of the Civil Procedure Code, to set aside the order dated 10.07.2025 passed in I.A. No.4 of 2024 & I.A. No.3 of 2024 in I.A. No.82 of 2016 & I.A. No.81 of 2016 in A.S. No.23 of 2013, on the file of the I Additional District and Sessions Judge, Vellore.

For Petitioner(s): Mr.K.Balasubramanian

For Respondent(s): Mr. V.Achuthandan R2, 12 To 14, 31 To 34
Not Ready in Notice R1, R3 to R11, R15 to R30,
R35 to R56.

COMMON ORDER

The revision petitioner challenges the order passed in I.A. No.3 of 2024 and I.A. No.4 of 2024 in A.S. No.23 of 2013 on the file of the First Additional District and Sessions Judge, Vellore.



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2. I have heard Mr.K.Balasubramanian, learned counsel for the revision petitioner and V.Achuthanandan, learned counsel for the respondents 2, 12 to 14 and 31 to 34.

3. The learned counsel for the revision petitioner would state that the applications filed in the pending appeal denying an opportunity to the petitioner to file an additional written statement and also lead further evidence have been erroneously dismissed, on the ground of delay without noticing the fact that I.A. Nos.1 and 2 of 2023, had already been filed for the very same purpose of restoring I.A. No.81 of 2016 and I.A. No.82 of 2016, which had been dismissed for non prosecution on 03.09.2024, Application in I.A. No.81 of 2016 was filed for seeking permission to produce additional documents, whereas I.A. No.82 of 2016 was filed seeking permission to file additional written statement.

4. The learned counsel for the petitioner would state that even in the affidavit in support of I.A. Nos.3 and 4 of 2023, the petitioner had disclosed that though earlier petitions were filed, the Applications were mingled with some other papers in the Court and therefore, the Court permitted the petitioner to move fresh applications and resultantly, I.A. Nos.3 and 4 of 2024, came to be filed. He would therefore, state that



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when there is no suppression of any material facts and the petitioner, in the interest of justice, should be given an opportunity to file an additional written statement and also file additional documents and should not be deprived of a valuable opportunity to effectively contest the appeal, putting technicalities against the petitioner. The learned counsel would therefore prays for the revisions being allowed.

5. Per contra, Mr.V.Achuthanandam, learned counsel appearing for the for the contesting respondents who have chosen to enter appearance in the revision would state that it is not as if the petitioner disclosed the factum of filing I.A. No.1 of 2023 and I.A. No.2 of 2023. Taking me through the affidavit filed in support of the I.A. Nos.3 and 4 of 2024, the learned counsel contends that there is no whisper about filing of I.A. No.1 and 2 of 2023, leave alone the factum of the said applications having been dismissed.

6. The learned counsel would further contend that when the applications already filed to restore I.A. Nos.81 and 82 of 2016, have been dismissed, it was not open to the petitioner to take out a fresh set of applications for the very same purpose, without seeking to restore the order passed in I.A. Nos.1 and 2 of the 2023. The learned counsel further states that the First Appellate Court has rightly considered these aspects



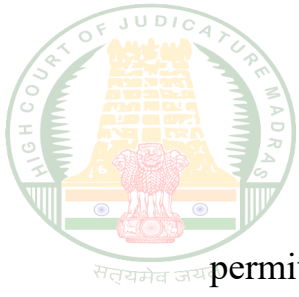
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and dismissed the applications. The learned counsel therefore prays for dismissal of the revision petitions.

7. I have carefully considered the submissions advanced by the learned counsel on either side.

8. Pending the First Appeal, two applications were filed by the petitioner in I.A. Nos.81 and 82 of 2016, one for production of additional documents and the other for filing an additional written statement. Both the applications were admittedly dismissed and to restore the said applications to file, I.A. Nos.1 and 2 of 2023, were filed. However, even these applications were dismissed on 03.09.2024. If at all the petitioner wanted to revive I.A. Nos.81 and 82 of 2016, the proper course of action would have been to restore the dismissal of I.A. Nos.1 and 2 of 2023. Without doing so, the petitioner has filed two fresh applications in I.A. Nos. 3 and 4 of 2024.

9. As rightly contended by the learned counsel for the contesting respondents, neither the factum of filing of I.A. Nos.1 and 2 of 2023, nor the factum of dismissal of the said applications on 03.09.2024, have been set out in the affidavits in support of the applications in I.A. Nos.3 and 4 of 2024. The arguments of the learned counsel for the petitioner therefore that there has been no material suppression and that the Court



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permitted the fresh applications to be filed are all unsubstantiated and do not merit consideration. Even from the impugned order, I find that it is only from the counter filed by the respondents that the Court has discussed about the factum of filing of I.A. Nos.1 and 2 of 2023 and it is not as if it was voluntarily disclosed by the petitioner.

10. In such view of the matter, I do not find any perversity or infirmity in the order passed by the First Appellate Court warranting interference and there is no merit in these revision Petitions. Accordingly, these Civil Revision Petitions are **dismissed**. Consequently, connected Miscellaneous Petitions is also dismissed. No costs.

24.07.2026

rkp
Neutral Citation Case : Yes/No
Internet: Yes/No
Index : Yes/No

To:

The I Additional District and Sessions Judge, Vellore.



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CRP.Nos.3639 & 3640 of 2026



P.B.BALAJI, J.,

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Pre-delivery order in
CRP. Nos.3639 & 3640 of 2026
and CMP. No.15796 of 2026

24.07.2026