



WEB COPY



CRP(PD).No.3985 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 27.11.2023**

**CORAM :**

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**C.R.P(PD).No.3985 of 2023**  
**and CMP.No.24431 of 2023**

G.Saralasekar

.... Petitioner

-Vs-

1. M/s.Sai Lakshitha Enterprises,  
Rep by its Proprietrix,  
Mrs.Saranya

2. M/s.Paulsons Beeauty and Fashion Pvt Ltd,  
Rep by its CEO,  
[Mr.A.Manikandan](#)  
No.12, Halls Road, Kilpauk,  
Chennai – 600 012.

.... Respondents

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decretal order passed by the learned District Judge, Commercial Court, Chennai, in [I.A.No.1](#) of 2023 in [C.O.S.No.33](#) of 2022 dated 21.09.2023 to set aside the same and the allow Civil Revision Petition.

For Petitioner : [Mr.M.Rajasekar](#)

For Respondents : Mr.Ramasubramaniya raja



WEB COPY



CRP(PD).No.3985 of 2023

## **ORDER**

This Civil Revision Petition has been filed by the petitioner seeking to set aside the order dated 21.09.2023 passed by the learned District Judge, Commercial Court, Chennai in [I.A.No.1](#) of 2023 in [C.O.S.No.33](#) of 2022.

2. Before the trial Court, the revision petitioner/1<sup>st</sup> defendant has filed an application in I.A.No.1 of 2023 seeking to receive the additional document which was not produced along with the written statement. The said application was filed after commencement of trial and after closure of plaintiff's side evidence. The said application was strongly objected by the plaintiff stating that the application is not maintainable under Order VII Rule 14 CPC and the 1<sup>st</sup> defendant cannot file the said document as an additional document at this stage. On hearing both sides, the trial Judge had dismissed the said application, holding that there is no specific reason assigned by the petitioner/1<sup>st</sup> defendant for belatedly producing the additional document.



CRP(PD).No.3985 of 2023

3. Challenging the same, the revision petitioner/1<sup>st</sup> defendant has filed this Civil Revision Petition before this Court.

4. The learned counsel for the revision petitioner submitted that the revision petitioner has filed an application before the trial Court to receive the additional document along with written statement and the same was not appreciated by the trial Judge. He further submitted that the petitioner has valid defence to prove his case and he prayed to allow this petition.

5. The learned counsel for the respondents submitted that after commence of trial, the petitioner/1st defendant filed an application to receive the additional document as such is not maintainable. Hence, he prayed for dismissal of this petition.

6. Considering the facts and circumstances of the case and also the fact that the suit was filed in the year 2022 and after commence of trial, the 1st defendant filed an application to receive the additional document along with written statement and the same was not appreciated by the trial Judge. This Court is of the opinion that receiving the additional



CRP(PD).No.3985 of 2023

WEB COPY

document would not cause any prejudice to other side. Hence, if the opportunity is not given to the revision petitioner, her valuable right of the defence will be defeated. Therefore, the order passed by the Commercial Court Chennai, in I.A.No.1 of 2023 is hereby set aside. However, the Commercial Court, Chennai is directed to dispose of the suit within a period of eight weeks from the date of receipt of a copy of this order.

7. In the result, this Civil Revision Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

**27.11.2023**

Speaking / Non Speaking order  
Neutral Citation : Yes/No  
Index : Yes/No  
msrm

To

1. The Commercial Court, Egmore, Chennai.
2. The Section Officer,



CRP(PD).No.3985 of 2023

VR Section,  
High Court of Madras.

WEB COPY

**T.V.THAMILSELVI, J.**

msrm



WEB COPY



CRP(PD).No.3985 of 2023

**C.R.P(PD).No.3985 of 2023**  
**and CMP.No.24431 of 2023**

**27.11.2023**