



CRP.No.220 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Order reserved on : 02.07.2025

Order pronounced on : 28.07.2025

CORAM

THE HON'BLE MR. JUSTICE P.B.BALAJI

CRP.No.220 of 2025
& CMP.No.1456 of 2025

1.Ramachandran
2.V.P.Murugesan
3.Paramasivam
4.Kodeswaran
5.Selvaraj

..Petitioners

Vs.

1.R.Kamaraj
2.K.K.Palanisamy
3.K.K.Appavu
4.Selvam

..Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 11.06.2024, passed in I.A.No.10 of 2024 in O.S.No.528 of 2013 by the Additional District Munsif Court, Namakkal.

For Petitioners : Mr.S.P.Chockalingam

For Respondents : Mr.N.Umapathi



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ORDER

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The defendants in O.S.No.528 of 2013 are the revision petitioners herein.

The defendants have taken out an interlocutory application in I.A.No.10 of 2024 in the said suit, under Order VI Rule 14-A(5)(a) r/w 151 of CPC, in and whereby, the petitioners as defendants in the said suit had sought for stay of the suit on the ground that the plaintiffs had not furnished their complete and true addresses of the parties to the suit. The application was resisted by the plaintiffs and on enquiry, the Trial Court has dismissed the application, as against which, the present revision has been preferred.

2.I have heard Mr.S.P.Chockalingam, learned counsel for the petitioners and Mr.N.Umapathi, learned counsel for the respondents.

3.Mr.S P.Chockalingam, learned counsel for the petitioners would submit that the addresses of both the plaintiffs and the defendants were incomplete and incorrect. He would further contend that the provisions of Order VI Rule 14-A(5)(a) of CPC are mandatory in nature and it is not even necessary for the Court to require an application for stay and even the Court on its own motion, on finding that the addresses furnished were either incomplete, false or fictitious, then the stay of the suit has to be granted. He would further state that



the addresses have been wantonly furnished in the manner that has been projected in the plaint, to suit the relief sought for. In this regard, he would take me through the plaint averments and the relief sought for in the suit as well.

4.The learned counsel for the petitioners would also bring to my notice that the defendants had filed a memo regarding the incorrect and incomplete addresses and acting on the same, the plaintiffs had taken out an application to amend the plaint to incorporate the correct and complete addresses of both the plaintiffs and the defendants. However, the said application was returned by the Trial Court and without representing the said application, the plaintiffs had taken out a fresh application, namely I.A.No.10 of 2024, where the amendment sought for is only in respect of the defendants' address and not the addresses of the plaintiffs. He would therefore state that the plaintiffs have mischievously proceeded to pick and choose as per their convenience. He would further state that when the plaintiffs had taken out an application earlier, for amendment of both the addresses of the plaintiffs and the defendants, it clearly amounted to an admission that even the addresses of the plaintiffs required amendment and the defendants' contention was factually true. In support of his contention, the learner counsel for the petitioners would place reliance on the following decisions:

1.Marsh India Insurance Brokers Private Limited Vs.



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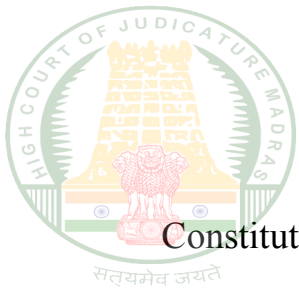
Shobha Basavaraj Kumbar and Others (Manu/KA/1476/2024).

2.Yellappa Vs. Yashodabai (AIR 2004 Kant 388).

3.Creative Garments Ltd., Vs. Kashiram Verma (AIR 2023 SC 1542).

4.Gagan Kakkar Vs. Dharampal Chhabra passed in FAO(OS)No.323 of 2015 dated 22.07.2015.

5.Per contra, Mr.N.Umapathi, learned counsel for the respondents would submit that the revision petitioners have not been put to any prejudice because of the addresses mentioned in the plaint. He would state that the defendants have been served with summons in the said addresses and only thereafter they entered appearance. He would therefore contend that the allegation that the addresses are incomplete and fictitious is wholly unsustainable. He would further state that the suit is of the year 2013 and despite the written statement having been filed in March 2014 itself, no objection with regard to any incorrect or false address has been taken in the written statement at the first instance. He would also state that the interlocutory application filed by the defendants in I.A.Nos.2 & 3 of 2021 to direct the plaintiffs to produce the original documents and also to initiate proceeding, came to be dismissed even in August 2023 and at the advanced stage of trial, the present application has been taken out, only in order to protract the proceedings. He would therefore state that it is only an abuse of process and the application has been rightly dismissed by the Trial Court, warranting no interference in the revision under Article 227 of



Constitution of India. He would therefore pray for dismissal of the civil revision petition.

6.I have carefully considered the submissions advanced by the planet counsel on either side.

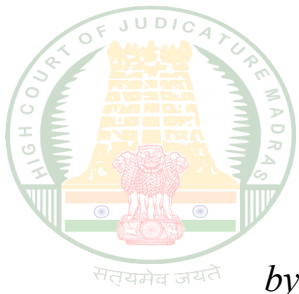
7.In order to dispose of this civil revision petition effectively, the requirement under Order VI Rule 14-A has to be seen. Order VI Rule 14-A is extracted hereunder for easy reference.

“14-A.Address for service of notice.- (1) Every pleading, when filed by a party, shall be accompanied by a statement in the prescribed form, signed as provided in Rule 14, regarding the address of the party.

(2) Such address may, from time to time, be changed by lodging in Court a form duly filled up and stating the new address of the party and accompanied by a verified petition.

(3) The address furnished in the statement made under sub-rule (1) shall be called the 'registered address' of the party, and shall, until duly changed as aforesaid, be deemed to be the address of the party for the purpose of service of all processes in the suit or in any appeal from any decree or order therein made and for the purpose of execution, and shall hold good, subject as aforesaid, for a period of twenty years after the final determination of the cause of matter.

(4) Service of any process may be effected upon a party at his registered address in all respects as though such party resided thereat.



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(5) Where the registered address of a party is discovered by the Court incomplete, false or fictitious, the Court may, either on its own, motion or application of any party, order-

(a) in the case where such registered address was furnished by a plaintiff, stay of the suit, or

(b) in the case where such registered address was furnished by a defendant, his defence be struck out and he be placed in the same position as if he had not put up any defence.

(6) Where a suit is stayed or a defence is struck out under sub-rule (5), the plaintiff or, as the case may be, the defendant may, after furnishing his true address, apply to the Court for an order to set aside the order of stay, or, as the case may be, the order striking out the defence.

(7) The Court, if satisfied that the party was prevented by any sufficient cause from filing the true address at the proper time, shall set aside the order of stay or order striking out the defence, on such terms as to costs or otherwise as it thinks fit and shall appoint a day for proceeding with the suit or defence, as the case may be.

(8) Nothing in this rule shall prevent the Court from directing the service of a process at any other address, if for any reason, it thinks fit to do so.”

8. The Rule basically deals with the requirement that every pleading is to be accompanied by a statement regarding the addresses of the parties. It also required that if there is any change in addresses, it has to be duly informed to the Court. The addresses that are mentioned in the statement made under sub-rule (1) of Rule 14-A is deemed to be the registered addresses of the parties and service of any process on the parties would be at the said registered address.



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9.Rule 5 provides that if the Court discovers that the registered address of any party is either incomplete, false or fictitious, then the Court may, either on its own motion, or on the application of any party, stay the suit or strike out the defence, depending on the plaintiff or the defendant having furnished a wrong or incomplete address. However, the remedial measure is available to the parties to set aside the order of stay or striking out the defence by furnishing the true address/correct. If the Court is satisfied that the party was prevented by some sufficient cause from filing their true address at the relevant point of time, then the order of stay or order striking out the defence, shall be set aside on such terms as to costs or as the Court may think fit and proceed with the suit or the defence, as the case maybe. Rule 8 permits the Court notwithstanding Rule 14-A to direct service of a process at any other address, if the Court deems it fit and proper.

10.In *Marsh India Insurance Brokers Private Limited's case*, the Division Bench of the Karnataka High Court held that provisions of Rule 14A of Order VI of CPC are mandatory and entail disastrous consequences.

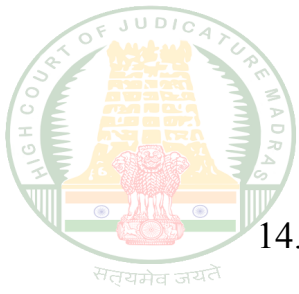


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11.In *Yellappa's case*, the Karnataka High Court held that provisions of Rule 14A postulate a disastrous consequence to a party who does not furnish a correct and proper address and held that the provisions are mandatory in nature.

12.In *Creative Garments's case*, the Hon'ble Supreme Court held that if any party approaches any authority for relief, the first thing required to be mentioned is his complete address and that the mentioning of address of the representative is secondary as someone may like to appear in person. Referring to Order VI Rule 14A of CPC, the Hon'ble Supreme Court held that the parties are required to furnish their complete addresses and if there is any change, it is also required to be informed.

13.In *Gagan Kakkar's case*, the High Court of Delhi held that non compliance with provisions of Order VI Rule 14A would have the consequences laid down in Rule 14(5) to follow and there was no infirmity in the order of the learned Single Judge who has struck out the defence of the defendant, who was not willing to furnish his correct address.



14. Now, coming to the case on hand, no doubt there is force in the submission of the learned counsel for the petitioner that by acting on the memo filed by the defendants, the plaintiffs themselves have filed an application, in an unnumbered IA, on 25.06.2024. In the said application, the addresses of both the plaintiffs and the defendants are sought to be amended. However the said application was returned by the Registry, requiring certain compliances. Abandoning the said application, the plaintiffs have thereafter filed an application in I.A.No.10 of 2024, restricting the amendment only to the addresses of the defendants, giving a go by to the request for change of addresses of the plaintiffs.

15. It is clear that the plaintiffs, having been put on notice about the incomplete and incorrect addresses, have admitted to such acts of omissions, by seeking amendment of the addresses of both the plaintiffs and the defendants. The said application was however not numbered and the Court had returned the same for certain compliances. One of the returns is that, as to how the plaintiffs can seek amendment of the address of the plaintiffs, after the defendants have filed I.A.No.10 of 2024, alleging that the plaintiffs have given an incomplete address and pointing out that the amendment in so far as the address of the defendants is also not in terms of the memo filed by the defendants on



02.04.2024, pointing out the mistakes in the addresses of the defendants.

Thereafter, in I.A.No.10 of 2024, the plaintiffs have chosen to amend the address of the defendants alone as set out in the memo filed by the defendants on 02.04.2024, without seeking to furnish the correct and complete addresses of the plaintiffs, despite the same being attempted in numbered IA dated 25.06.2024.

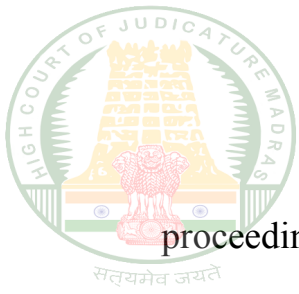
16.It is therefore the contention of the learned counsel for the petitioners that having accepted that there is a mistake in the address of the plaintiffs, the plaintiffs ought to have sought for amendment of the address of the plaintiffs also in I.A.No.12 of 2024. It is in this regard, he has relied on the above decisions of the Karnataka High Court, the Delhi High Court as well as the Hon'ble Supreme Court.

17.Keeping the above legal position in mind, it is to be first and foremost noted that the requirement to furnish true and complete address is obligated not only at the time of filing of the suit by introducing the plaint or written statement, but such obligation continues throughout the proceedings. In fact



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before the Division Bench of the Delhi High Court, the objection that the defendant had been served and was regularly appearing through counsel was itself sufficient to dismiss the application under Order VI Rule 14-A of CPC did not find favour with both the Single Judge of the Delhi High Court as well as the Division Bench of the Karnataka High Court. Even though, in the cases before the Karnataka High Court, the issue arose even at the initial stages of service of notice, considering the mandate of Order VI Rule 14-A, giving power to the Court to even *suo motu* stay the suit on discovering that any incorrect or incomplete address has been furnished and the requirement to even bring it to the notice of the Court, any change of address as well, in the facts of the present case even though the defendants have not raised any plea in the written statement initially, considering the fact that when it was brought to the notice of the Court as well as the plaintiffs by way of a memo dated 02.04.2024 and when the plaintiffs themselves acted upon the said memo and filed an application on 24.06.2024 to amend the addresses of the plaintiffs as well as the defendants, it was not thereafter open to the plaintiffs to contend that no prejudice is caused to the defendants because of the plaintiffs giving up the amendment in so far as the addresses of the plaintiffs is concerned. I am unable to countenance the said argument, because as already discussed, the mandate of Order VI Rule 14-A is not merely for initial stages of the suit but also for the entirety of the



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proceedings, in fact including appeal proceedings.

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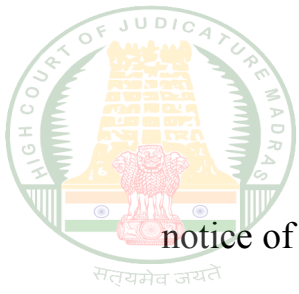
18.The Rule also mandates that whenever any mistake or incomplete address is discovered, then the Court can even *suo motu* grant stay of the suit or strike out the defence in the case of incorrect and incomplete address being furnished by the defendants. Additionally, the obligation on the part of the litigants is also bring to the notice of the Court any change in address pending proceedings. This being the legal position, when incorrect and incomplete addresses have been discovered and brought to the notice of the Court as well as the plaintiffs, by memo dated 02.04.2024, the Court had to necessarily take cognizance of the same and stay the suit until necessary amendments were carried out by the plaintiffs, seeking to amend the addresses of the plaintiffs and the defendants to bring it to the conformity with the correct addresses of the parties. However, strangely, the plaintiffs having taken out an application for amending not only the addresses of the defendants but also their addresses, by filing an application on 24.06.2024 having chosen to abandon the same, after the said application came to be returned for compliances, a fresh application has been filed thereafter, seeking to amend only the addresses of the defendants. The Trial Court, without noticing the requirement and mandate of Order VI Rule 14-A, has proceeded to dismiss the application filed by the defendants on



the ground that the suit is in a part-heard stage and that the defendants have not brought it to the notice of the Court at the earliest instance.

19. These considerations should not have weighed in the mind of the trial Judge since upon memo filed by the defendants on 02.04.2024, the plaintiffs themselves admitting the errors/mistakes on their part, have chosen to take out an application on 24.06.2024, wherein an attempt has been made to amend not only the addresses of the defendants but also the addresses of the plaintiffs. The plaintiffs cannot take advantage of the said application having been returned and now contend that the application in I.A.No.10 of 2024 is belated and does not merit acceptance.

20. It is to be noted that the registered addresses of the party which is set out in the statement of address as required under Order VI Rule 14-A of CPC is not only for the purposes of using the said registered address for serving the party concerned in any application or summons in the suit or other processes but would also be the registered address for all purposes of any appeal/revision that may be taken up pursuantly. That is why the rule mandates even the defendants to give a proper and complete address and the parties are required to even inform the Court about any change in address. Having brought the issue to the



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notice of the Court, the Court had to necessarily apply Sub-rule 5(a) and granted stay until the plaintiffs chose to amend their addresses to conform to be the complete and correct address.

21.In the above matter, the memo filed by the defendants on 02.04.2024 has been acted upon by the plaintiffs themselves and in the light of the above it shall be open to the plaintiffs to seek amendment of their address in line with the amendment sought for in the unnumbered I.A dated 25.06.2024. Until then, in view of the mandatory provisions of Order VI Rule 14-A(5)(a) of CPC, the suit has to necessarily be stayed. In view of the above, I am inclined to set aside the order of the Trial Court.

22.In fine, the Civil Revision Petition is allowed with the above direction. The suit in O.S.No.528 of 2013 shall stand stayed. However, if the plaintiffs take out an application to amend their addresses, as sought for in unnumbered I.A dated 24.06.2025, then, such application for amendment shall be formally taken on file and allowed as the defendants cannot have any objection to the same and at that point of time, the order of stay of the suit shall stand recalled and the Trial Court shall proceed with the matter. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.



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Speaking/Non-speaking order
Index : Yes/No
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To

The Additional District Munsif Court, Namakkal.

P.B.BALAJI.J.

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Pre-delivery order made in
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& CMP.No.1456 of 2025

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