



WEB COPY

CRP.No.720 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 15.07.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

C.R.P.No.720 of 2024

Elumalai

... Petitioner

Vs.

1. Ekambaram @ Chinnathambi
2. Boobalan
3. Kannan

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to allow this Civil Revision Petition and to set aside the Order and decretal order passed in I.A.No.1/2023 in O.S.No.15/2021, dated 13.12.2023 passed by the learned District Munsif Judge, Chengam.

For Petitioner : Mr.K.Karuppaiyamooppanar

For Respondent : Mr.M.Manoj

ORDER

The petitioner challenges the order of dismissal of the application under Order VII Rule 14(3) of C.P.C., in and by which the request of the petitioner to receive additional documents on his side as plaintiff, was ordered by the trial Court with the condition that the petitioner to pay a cost of Rs.500/-. Admittedly, even according to the revision petitioner the said conditional order has not been complied with and as a natural consequence



the trial Court has dismissed I.A.No.1/2023 on 13.12.2023.

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2. The learned counsel for the Revision Petitioner states that the counsel who appeared for the petitioner in the trial Court, did not inform the petitioner about the cost which led to the non compliance of the conditional order of the trial Court. He would further submit that the documents that are sought to be produced are vital documents which are absolutely necessary to advance the case of the petitioner before the trial Court. He would therefore prayed for the revision being allowed, by setting aside the order of the trial Court in I.A.No.1/2023.

3. Per contra, the learned counsel for the respondents states that absolutely no reasons have been assigned for non payment of the cost, within the stipulated time and therefore no interference is warranted and the dismissal of the application for non payment of the cost is wholly justified.

4. I have carefully considered the submissions advanced on either side.

5. The plaintiff / revision petitioner has been given an opportunity to produce additional documents. The trial in the suit has just commenced and



at that stage the plaintiff wanted to file additional documents which was liberally considered by the trial Court. Unfortunately, the petitioner has not taken advantage of the lenience shown by the trial Court in allowing the application, subject to payment of nominal cost of Rs.500/.

6. However, at the same time, in order to not deprive the petitioner of an opportunity to put forth all documents and placing reliance on them, I am inclined to set aside the order of the trial Court, though I am not able to find any fault in the said order, but only in the interest of doing substantial justice. However the same is subject to the revision petitioner to pay of sum of Rs.5000/- (Rupees Five Thousand only) to the respondent before the trial Court, within a period of two weeks from the date of receipt of a copy of this order.

7. The Trial Court viz., the District Munsif Judge, Chengam shall expedite trial in the suit and dispose of the same within a period of four months thereafter.

P.B. BALAJI,J.

vum

8. With the above direction, this Civil Revision Petition is disposed of.



No costs.

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15.07.2025

Speaking Order/Non-speaking Order

Index : Yes / No

Neutral Citation : Yes/No

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To

The District Munsif Judge, Chengam.

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