



WEB COPY

CRP No. 613 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRP Nos. 613 & 615 of 2025 and
CMP Nos.3473 & 3477 of 2025**

1. Umanathan @ Umarani
V.Shanmuganathan (deceased)
- 2.Manoj Kumar
- 3.Usha Rani
- 4.Asha Rani

Petitioners in both CRPs

Vs

T.N. Vijayakumar
Rep. by his power agent T.S. Natarajan,
No.1, Shanthi Nagar, 9th Street,
Adambakkam, Chennai - 088.

Respondent in both CRPs

PRAYER in CRP 613 of 2025

This Civil Revision Petition has been filed under Article 227 of the Constitution of India to set aside the order dated 21.11.2024 passed in IA No.3 of 2024 in OS No.84 of 2009 by the Honble Addl. District Judge, Chengalpattu.



PRAYER in CRP 615 of 2025

This Civil Revision Petition has been filed under Article 227 of the Constitution of India to set aside the order dated 21.11.2024 passed in IA No.4 of 2024 in OS No.84 of 2009 by the Honble Addl. District Judge, Chengalpattu.

In both CRPs

For Petitioner(s): M/s.L. Dhamodharan
in both CRPs

For Respondent(s): Mr. M Jagadheesan
in both CRPs for M/s.P.B.Ramanujam Associates

COMMON ORDER

Challenging the order of the Trial Court dismissing the applications filed to reopen and recall the witness of P.W.1, both the Civil Revisions Petitions have been filed by the defendants.

2. The respondent/plaintiff filed the suit in O.S.No.84 of 2009 on the file of the Additional District Court, Chengalpattu, against the first petitioner and her deceased husband V.Shanmuganathan seeking a declaration that sale deed dated 06.02.2009 is valid and binding on the defendants and also for recovery of possession and mesne profits. In the said suit, the first petitioner/first



defendant, who is mother of the revision petitioners 2 to 4/defendants 3 to 5, filed a written statement.

3. After the death of V. Shanmuganathan (the second defendant), his son and daughters were impleaded as defendants 3 to 5 in the suit. Later, they filed applications to reopen and recall PW1 for further cross examination, citing claims about the revocation of the settlement deed dated 07.08.2007.

4. I have heard the submission of the learned counsel on both sides and perused the materials available on records carefully.

5. This Court is of the view that at this stage, the revision petitions are nothing but just to drag on the proceedings. The revision petitioners 2 to 4 have entered appearance only after the death of their father, as legal heirs. They cannot take a stand different from that taken by their father or mother, who were already on record and had filed their statements. After a lapse of several years, they are not entitled to raise any new plea other than what had already been



taken in this regard. That apart, even if they want to adduce any evidence to substantiate their stand, the matter is now listed for defendants' side evidence and they can bring out all such aspects during their evidence. Therefore, at this stage, there is no necessity to cross-examine PW1 further, after a lapse of such a long period. In such view of the matter, I do not find any merits in these revision petitions and they are liable to be dismissed.

6. Accordingly, both the Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed. The Trial court is directed to dispose of O.S.No.84 of 2009 as expeditiously as possible.

04-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mrp



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To
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The Additional District Judge,
Chengalpattu.



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N.SATHISH KUMAR J.

mrp

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