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REV.APPL NO. 41 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: **25-06-2025**

CORAM
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

REV.APPL NO. 41 of 2025
AND
CMP NO. 5681 OF 2025, SA NO. 611 OF 2024

R.Karunakaran
S/o. Late N. Rathinasabapathy Mudaliar,
No.147/52, Old Mambalam Road, Saidapet,
Chennai - 015.

Appellant(s)

Vs

R. Senthilnathan
S/o. Late N. Rathinasabapathy Mudaliar,
No.147/52, Old Mambalam Road, Saidapet,
Chennai - 015.

Respondent(s)

CMP NO. 5681 of 2025

R.Karunakaran
S/o. Late N. Rathinasabapathy Mudaliar,
No.147/52, Old Mambalam Road, Saidapet,
Chennai - 015.

Appellant(s)

Vs

R. Senthilnathan
S/o. Late N. Rathinasabapathy Mudaliar,
No.147/52, Old Mambalam Road, Saidapet,
Chennai - 015.

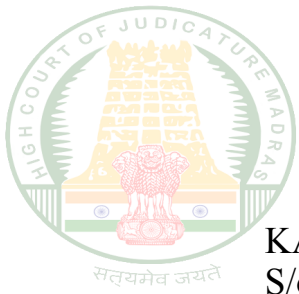
Respondent(s)

SA NO. 611 of 2024

SENTHILNATHAN
S/o. Late N.Rathinasabapathy Mudaliar,
New No. 147, Old No. 52, Old Mambalam Road,
Saidapet, Chennai 600 015.

Appellant(s)

Vs



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KARUNAKARAN

S/o. Late N.Rathinasabapathy Mudaliar,
New No. 147, Old No. 52, Old Mambalam Road,
Saidapet, Chennai 600 015.

Respondent(s)

REV.APPL NO. 41 of 2025

For Appellant(s):

For Respondent(s):

CMP NO. 5681 of 2025

For Appellant(s):

For Respondent(s):

SA NO. 611 of 2024

For Appellant(s):

Pnv Gopalakrishnan
M/s S.Udhaya Kumar
J C Padmini
G.Vivekanandan
B L S Prasad
B.Krishnan

For Respondent(s):

m/s.P.N.V.Gopala krishnan for sole respondent

ORDER

The review applicant is the respondent in S.A. No. 611 of 2024. They have come forward with this review application stating that the order passed by this Court was erroneous, as it was made without affording an opportunity to the respondent and without considering the preliminary decree passed between the parties in O.S. No. 3775 of 2006.

2. Further, it is contended that this Court failed to take note of the relevant facts as set out in Paragraphs 8 and 9 of the proceedings. The



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review applicant also submits that there is an error apparent on the face of the record and, therefore, seeks a review of the judgment passed by this Court on 09.12.2024.

3. The learned counsel for the respondent raised strong objections to the review, contending that this Court had, after considering all relevant records and materials, passed the order on merits. Hence, the review application is not maintainable.

4. On considering the submissions of both sides and upon a perusal of the entire order passed by this Court on the date of the arguments, it is seen that the counsel for the appellant appeared and produced certain proceedings relating to E.P. No. 510 of 2022, wherein an order of delivery was passed. Based on those records, this Court proceeded with the appeal.

5. However, a reading of the entire order reveals that there is no mention of the defence raised by the respondent, which indicates that their submissions were not recorded. Therefore, in order to provide one more opportunity to the respondents/review applicants to present their case and to avoid a miscarriage of justice, this Court is inclined to allow the review application.



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6. Accordingly, the appeal is posted for final arguments by both parties on 08.07.2025.

25.06.2025

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To

1. The XIX Additional Judge, City Civil Court, Chennai.
2. The XV Assistant Judge, City Civil Court, Chennai.
3. The Section Officer, VR Section, High Court of Madras.

T.V.THAMILSELVI, J.

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