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C.R.P.Nos.2329, 2331 and 2333 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

**C.R.P.Nos.2329, 2331 and 2333 of 2024**  
**and C.M.P.No.12256 of 2024**

V.Ammukutti

... Petitioner in all C.R.P's

Vs.

1.S.Anuradha  
2.V.Selvadurai

... Respondents in all C.R.P's

PRAYER in C.R.P.No.2329 of 2024: Civil Revision Petition filed under Article 227 of Constitution of India, against the fair and decreetal order dated 02.11.2023 passed in I.A.No.8 of 2023 in O.S.No.15 of 2016 on the file of the Principal District Munsif Court, Alandur.

PRAYER in C.R.P.No.2331 of 2024: Civil Revision Petition filed under Article 227 of Constitution of India, against the fair and decreetal order dated 02.11.2023 passed in I.A.No.7 of 2023 in O.S.No.15 of 2016 on the file of the Principal District Munsif Court, Alandur.



PRAYER in C.R.P.No.2333 of 2024: Civil Revision Petition filed under Article 227 of Constitution of India, against the fair and decreetal order dated 02.11.2023 passed in I.A.No.6 of 2023 in O.S.No.15 of 2016 on the file of the Principal District Munsif Court, Alandur.

**Appearance of counsel in all C.R.P's**

For Petitioner : Mr.T.Thiyagarajan

For Respondents : No appearance

**COMMON ORDER**

Heard Mr.T.Thiyagarajan, learned counsel for the revision petitioner.

2. Despite several opportunities granted to the learned counsel for the respondents, there has been no appearance for the last more than three hearings and, hence, I proceeded to hear Mr.T.Thiyagarajan, learned counsel for the petitioner.

3. Three Civil Revision Petitions have been filed challenging the common order passed in I.A.Nos.6, 7, 8 of 2023 in O.S.No.15 of 2016 on the file of the Principal District Munsif Court, Alandur.



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4. I.A.No.6 of 2023 was filed for reopening the evidence of the plaintiff. I.A.No.7 of 2023 was filed for recalling PW1 for further examination. I.A.No.8 of 2023 was filed under Order VII Rule 14 (2 & 3) of CPC, seeking leave of the Court to file the documents as set out in the petition.

5. The case of the revision petitioner is that after examination of PW1, there is no evidence let in by the defendants and the evidence on the side of the defendants was closed. However, subsequently, the applications were filed by the defendants to reopen the evidence of the defendants side and to examine the defendants, which came to be allowed and thereafter DW1 was examined. At that juncture, the petitioner intended to file the documents which were marked in the connected suit filed by the defendants in O.S.No.84 of 2012 pending before the Additional Munsif Court, Alandur. In order to mark the said documents, two connected interlocutory applications for reopening and recalling the evidence were also filed. However, the learned trial Judge had dismissed the applications, on the ground that the revision petitioner is trying to fill up the lacuna and further the learned



counsel has already made an endorsement that there is no further evidence on the side of the revision petitioner.

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6. The learned counsel for the petitioner, taking me through the typed set of papers, contended that only after the defendants have filed the application to reopen the evidence, the plaintiff intended to file the connected documents, which have already been filed before the Court in O.S.No.84 of 2012 and no new documents were sought to be introduced. The trial Court, having found that the suit is of the year 2016, dismissed all the applications, on the ground that the suit is pending for 7 years and posted for defendants' side arguments. However, subsequently, it appears that the defendants have taken out an application in I.A.No.5 of 2023 for reopening the evidence of the defendants and the same was allowed on 12.12.2023 and the defendants are yet to be examined.

7. In the light of the above and especially considering that the defendants have filed the suit in O.S.No.84 of 2012 and the plaintiff intends to only mark the documents, which were already exhibited in the said suit, the question of filling up the lacuna does not arise and also in view of



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I.A.No.5 of 2023 being allowed and the suit is now being posted only for letting evidence on the side of the defendants, no prejudice would be caused, if the revision petitioner is permitted to mark the very same documents that have been already exhibited in the connected suit, viz., O.S.No.84 of 2012 before the Additional Munsif Court, Alandur.

8. In view of the above and also the subsequent grievance that has been brought to my notice, the common order passed by the Principal District Munsif Court, Alandur, is set aside and all the revisions are allowed. Since the suit is of the year 2016 and in view of the present revisions are being allowed, the evidence of the plaintiff shall be first permitted by the trial Court, within a period of 4 weeks from the date of receipt of a copy of this order and the suit shall be posted for defendants' side evidence and the same shall be completed within a period of four (4) weeks thereafter, and dispose of the suit within a period of six (6) weeks after the closure of the evidence of the defendants.



9. With the aforesaid observations, these Civil Revision Petitions are allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

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Speaking Order/Non-speaking Order

Index : Yes / No

Neutral Citation : Yes/No

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To

The Principal District Munsif Court,

Alandur.



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**P.B. BALAJI,J.**

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