



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP.(PD).No.1947 of 2025 & CMP.No.11109 of 2025
CRP.(PD).No.1949 of 2025 & CMP.No.11115 of 2025
and CRP.(PD).No.1951 of 2025 & CMP.No.11122 of 2025

Ettiammal	...	Petitioner in all CRPs.
	Vs.	
1.Prabhu		
2.Arun		
3.Saraswathy	...	Respondents in all CRPs.

Prayer: Civil Revision Petitions filed under Article 227 of Constitution of India to set aside the Fair and Decreetal order dt 12.03.2025 and made in I.A.Nos.6, 4 & 5 of 2024 in O.S.No.15 of 2020 on the file of the Additional District Court (FTC), Arni, Tiruvannamalai District and allow the CRPs.

For Petitioner : Mr.N.A.Nissar Ahmed
in all CRPs. Senior Counsel

For Respondents : No appearance
in all CRPs.

ORDER

The Civil Revision Petitions have been filed to set aside the Fair and Decreetal order dated 12.03.2025 and made in I.A.Nos.6, 4 & 5 of 2024 in O.S.No.15 of 2020 on the file of the Additional District Court (FTC), Arni, Tiruvannamalai District.



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2.Heard Mr.N.A.Nissar Ahmed, learned senior counsel for Mr.Kowser Sulthana appearing for the petitioner in all revision petitions.

2.Despite service of notice on the counsel appearing for the respondents before the trial Court, there is no appearance on the side of the respondents. The petitioner had taken out three applications for re-opening of the evidence recalling PW2 and to mark certain additional documents. The said applications were allowed on condition that the petitioner pay a costs of Rs.1000/- on or before 10.03.2025. It is the specific contention of the revision petitioner that the said conditional order has been complied with and memo was filed before the trial Court on 12.03.2025 reporting compliance.

3.However, the trial Court noticing that the memo has been filed on 12.03.2025 beyond the date, within which the cost should have been paid, proceeded to dismiss the application. The said order is unsustainable. The trial Court ought to have seen that the cost had been paid in compliance with the order of the Court on or before 10.03.2025 itself and what was filed on 12.03.2025 was only a memo for recording compliance.



4.In the light of the above, the civil revision petitions are allowed.

Considering the age of the revision petitioner, direction is issued to the trial Court to expedite trial and dispose of the suit on or before 31.12.2025. No costs. Consequently, connected miscellaneous petitions are closed.

05.08.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

Internet : Yes / No

sms

To

The Additional District Court (FTC), Arni,
Tiruvannamalai District



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CRP PD Nos.1947, 1949 & 1951 of 2



P.B. BALAJI,J.

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