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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP Nos. 2172, 2174 & 2175 of 2025

AND

CMP NO. 12717 OF 2025

1. V. Ravichandran
S/o. Venugopal Pillai,
No.313, Sannathi Street,
Puthananthal Village, Tindivanam
Taluk, Villupuram District – 604 207.

2.T. Manjula
W/o. Thirumal,
No.1/341, 13th Street,
MGR Nagar, Narasingarayanpettai,
Gingee Taluk, Villupuram District -
002.

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

Vs

1. Manimegalai
W/o. Rajendran,
No.312, Sannathi Street,
Puthananthal Village, Tindivanam
Taluk, Villupuram District 604 207.

2.V. Shankar
S/o. Venugopal Pillai,



No.302A, Busi Street, Orulayanpettai,
Puducherry – 605 004.

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Respondent(s) in all
C.R.P's

PRAYER in CRP No. 2172 of 2025: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 07.02.2025 passed by the Additional Subordinate Court, Tindivanam in I.A. No.431 of 2023 in O.S.No.12 of 2019 and allow this Civil Revision Petition.

PRAYER in CRP No. 2174 of 2025: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 04.04.2025 passed by the Additional Subordinate Court, Tindivanam in I.A. No.250 of 2025 in O.S.No.12 of 2019 and allow this Civil Revision Petition.

PRAYER in CRP No. 2175 of 2025: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 07.02.2025 passed by the Honble Additional Subordinate Court Tindivanam in IA No.430 of 2023 in OS No.12 of 2019 and allow this Civil Revision Petition.

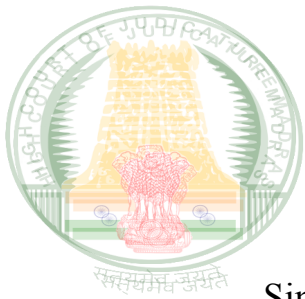
Appearance of counsel in all C.R.P's

For Petitioner(s): Mr.B.R.Sivasubramaniam

For Respondent(s): Mr.P.Sankara Narayanan

For R1

Not ready NS reg R2



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COMMON ORDER

Since the issue involved and the relief sought in all these Civil Revision Petitions are identical in nature, the same were heard together and decided of vide this common order.

2. These Civil Revision Petitions are challenging the dismissal of the applications to reopen and recall the evidence of the parties for the purpose of cross examination of PW1 and PW2.

3. It is seen from the records that the suit is for declaration of title of the plaintiffs. The defendants have admittedly not cross examined PW1 and PW2. It is brought to the notice of the Court by Mr.Sankaranarayan, learned counsel for the petitioners state that earlier attempts seeking to reopen and recall, though allowed, were not availed of by the petitioners, by cross examining the witnesses. Since the suit is one for declaration of title, the defendants should be given an opportunity to cross examine the witnesses on the side of the plaintiffs.

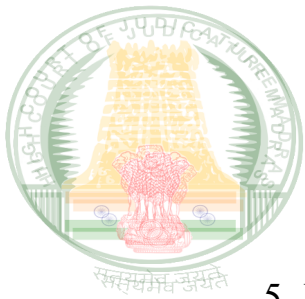
At the same time, the plaintiffs have to be compensated by way of costs for the



prejudice caused to them on account of delay being caused for conclusion of the trial.

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4. In the light of the above, subject to the condition that the petitioners shall pay a sum of Rs.10,000/- to the first respondent/plaintiff, within a period of one week from the date of receipt of a copy of this order, the applications in I.A.Nos.430 & 431 of 2023 and I.A.No.250 of 2025 stand allowed and the petitioners shall cross examine the PW1 and PW2. The PW1 shall appear before the trial Court on 15.07.2025, and on the said date, the petitioners shall complete the cross examination of PW1; and on 16.07.2025, the petitioners shall complete the cross examination of PW2. No further extension of time shall be granted under any circumstances, whatsoever to the petitioners. Further, the evidence of the defendants shall be concluded by 31.07.2025. Thereafter, the trial Court shall hear the arguments and dispose of the suit on or before 01.09.2025 on merits and in accordance with law. It is made clear that if the costs of Rs.10,000/- is not paid on or before 07.07.2025, the order passed by the trial Court shall stand confirmed.



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5. With the above directions, these Civil Revision Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

30-06-2025

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Index: Yes/No

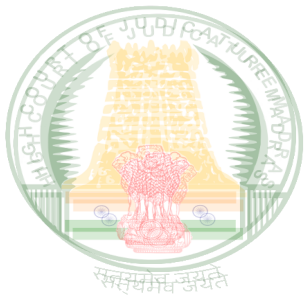
Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Additional Subordinate Court,
Tindivanam.



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P.B.BALAJI J.
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**CRP Nos. 2172, 2174 &
2175 of 2025**

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