



C.R.P.Nos.3091 & 3207 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P.Nos.3091 & 3207 of 2025

M/s.Woosu Automative India Private Limited,
rep.by its HR Manager/Authorised Signatory... Petitioner in both CRPs.

-vs-

P.K.Balakrishna Kurup & Sons,
rep.by M.Perumal ... Respondent in both CRPs.

PRAYER: C.R.P.No.3091 of 2023 is filed under Article 227 of the Constitution of India, seeking to set aside the order, dated 13.07.2023, passed by Additional Sub-Court, Ponneri, in I.A.No.3 of 2022 in O.S.No.162 of 2014.

PRAYER: C.R.P.No.3207 of 2023 is filed under Article 227 of the Constitution of India, seeking to set aside the order, dated 13.07.2023, passed by Additional Sub-Court, Ponneri, in I.A.No.2 of 2022 in O.S.No.162 of 2014.

For Petitioner : Ms.K.Subhashini,
for M/s.Chennai Law Associates.

For Respondent : No appearance



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ORDER

These Revision Petitions are filed at the instance of the defendant, who filed I.A.Nos.3 and 2 of 2022 in O.S.No.162 of 2014 on the file of Additional Sub-Court, Ponneri, for reopening the evidence and recalling the witness of D.W.1.

2. I have heard the learned counsel for the petitioner. The respondent, despite service of notice, has not chosen to appear.

3. It is seen that the applications were supported by affidavits of the counsel, who appeared for the defendant before the trial Court. However, the trial Court proceeded to dismiss the applications, on the ground that the suit was pending from 2014, and, after noting several adjournments, it non-suited the revision petitioner.

4. On going through the affidavit filed by the petitioner, I find that there is no inordinate delay in reopening the evidence and recalling the witness. However, the advocate, who appeared for the defendant, has also sworn to an affidavit, stating reasons for not adducing evidence. The trial Court should not have been carried away by earlier adjudications in the suit and, if it was convinced that the applicant had made out a case and satisfactory reasons had been assigned in the affidavits in respect of the



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subject applications, then, it should have accepted the reasons and afforded an opportunity to the parties to adduce evidence.

5. In view of the above, the impugned orders passed by the trial Court are set aside and the Civil Revision Petitions are allowed. No costs. Consequently, the connected C.M.P.Nos.19153 and 19773 of 2023 are closed.

01.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

dixit

To:

Additional Sub-Court,
Ponneri.



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P.B.BALAJI, J.

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