



C.R.P. (PD) No.4007 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 29.08.2025

CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

C.R.P. (PD) No.4007 of 2025

and

C.M.P. No.20818 of 2025

N. Mohammed Ali (Deceased)

1. M. Jalila
2. M. Kalif Abdulla
3. M. Umairabanu
4. M. Sidhi Badhurullah
5. M. Umar Farooq

... Petitioners

vs.

1. G. Sivagami
2. Gandhimathi
3. G. Elumalai
4. G. Purushothaman
5. G. Shankar Ganesh
6. G. Kothandam

... Respondents

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order, dated 09.07.2025 passed in I.A. No.6 of 2025 in O.S. No.3792 of 2019 by the XXII Additional City Civil Court, Chennai and allow the I.A. No.6 of 2025.

For Petitioners : Mr. Guberamoorthy
For Respondents : Mr.S. Thamizharasi

ORDER



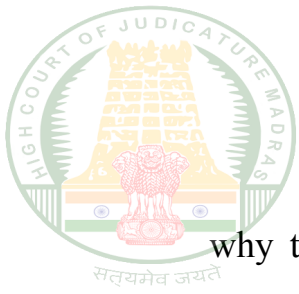
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The defendants challenge the order in I.A. No.6 of 2025 in O.S.

WEB COPY No.3792 of 2019. An application was taken out by the defendants under Order VI Rule 14(5) of the Code of Civil Procedure, seeking stay of all further proceedings in the suit, alleging that the plaintiffs have disclosed a false address of plaintiffs 3 to 5 in the plaint. The said application came to be dismissed by the trial Court and challenging the said order, the defendants are before this Court, by way of the present revision petition.

2. The learned counsel for the petitioners invited my attention to provisions under Order VI Rule 14(A) of CPC, which states that it is mandatory for the parties to furnish their correct address, which will be the registered address of the said parties to the suit. He would further state that PW1, the 6th plaintiff has categorically admitted that the address of the plaintiffs 3 to 5 is incorrect. He would therefore, state that on the basis of the admission of PW1, the trial Court ought to have stayed the suit and directed the plaintiffs to amend the address of plaintiffs 3 to 5. He would therefore pray for the revision being allowed.

3. Per contra, learned counsel for the respondents / plaintiffs would state that though PW1 admitted that the address of plaintiffs 3 to 5 is not the correct address, but however, PW1 has offered an explanation as to



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why the said address has been given as the registered address of the plaintiffs 3 to 5. She would also invite my attention to the impugned order, where the trial Court has taken note of the evidence adduced by PW1, the 6th plaintiff and held that the explanation offered by PW1 is convincing and therefore, there is no necessity to entertain the application for stay of further proceedings of the suit.

4. I have carefully considered the submissions advanced by learned counsel on either side.

5. As rightly contended by the learned counsel for the petitioners, no doubt, the 6th plaintiff, who was examined as PW1 has admitted that the address furnished in the plaint for plaintiffs 3 to 5 is not their address but only the address of the mother. However, during further cross examination, PW1 has stated the reason for giving the said address. The said explanation has been accepted by the trial Court and the trial Court has found that the address is therefore not false or fictitious as contended by the defendants. Though the address may be incorrect, even under Order 14A, the Court has all powers to direct service of process at any other address, for any reason, if it thinks fit to do so. Therefore, the



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trial Court has exercised its discretion and found that there is no false address or incorrect address furnished by the plaintiffs, accepting the explanation offered by the 6th plaintiff, viz. PW1.

6. I do not find any infirmity in the said order, more so, when no prejudice is caused to the revision petitioners in view of the fact that the address of the plaintiffs 3 to 5 has been given in the plaint, which is the address of the 1st plaintiff, the mother.

7. In the light of the above, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Internet: Yes/No
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2

P.B. BALAJI, J.

vsi2

To

4/5



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The XXII Additional Judge,
City Civil Court, Chennai.

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