



WEB COPY

A No. 4763 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

A No. 4763 of 2025

IN

CS NO. 43 OF 2025

T.Krishna Kumar AND another
S/o.Late. R.Thyagarajan and
Late.T.Mohana Sundari alias
T.Elamathi, No.9/5, 1st Floor, Flat D,
Devaraj Street, Perambur Barracks,
Chennai-600 012

Applicant(s)

Vs

S.Rajalakshmi and 2 others
W/o.P.Saravanan, D/o.Late.
R.Thyagarajan and Late.T.Mohana
Sundari alias T.Elamathi, N.4/23, 10th
Cross Street, Indra Nagar, Adyar,
Chennai-600 020

Respondent(s)

For Applicant(s): M/s.R.Prabakar

For Respondent: R1- unclaimed
Mr. L. Prabakar [for R2]
Mr. D. Gopal, Government
Advocate (CS) [for R3]



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ORDER

This application has been filed by the applicants to permit the applicants / Plaintiffs to file reply statement to the Written statement filed by the 2nd defendant.

2. According to the applicants, they are the Plaintiffs in the main Suit filed for declaration and for partition. Already the 2nd defendant filed Written Statement by introducing several fresh allegations and contentions that are factually incorrect and requires specific denial. Moreover, some of the facts took place during the pendency of the Suit, are also needed to be brought on record by way of additional pleadings. Therefore, filed this application.

3. The respondents filed counter denying the averments of the application and the Plaintiff would not be allowed to improve or substantiate or enhance his case stage by stage and he cannot be allowed to introduce new cause of action or to alter old cause of action by way of reply statement and to make rebuttal



statement. Most of the averments in the reply statement are only replies to the

Written statement, which are absolutely not necessary and further, fresh pleadings would alter the cause of action and would alter the nature and character of the Suit. Therefore, the application is liable to be dismissed.

4. This Court heard both sides and perused the entire materials available on record.

5. On a perusal of records, it is seen that already the 2nd defendant filed Written statement and in the Written statement, according to the applicants, the 2nd defendant introduced some new plea and therefore, those contentions have to be replied through reply statement. Therefore, the applicants have filed this application. Though the respondents strongly opposed to receive the reply statement, in order to give fair chance to the applicants to reply for the new allegations raised in the Written Statement, it is appropriate to allow this application and to receive the reply statement. By receiving the reply statement, no prejudice would be caused to the other side. Therefore, in the interest of



justice and for complete adjudication, it is appropriate to allow this application.

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6. Accordingly, this application is *allowed*. There shall be no order as to costs.

24-11-2025

mjs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Sub Registrar
Purasawalkam Sub Registrar Office,
No.6/13, Adhi Venu Heights, Porteous
Road, Ayanavaram,
Chennai-600023.



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P.DHANABAL J.

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