



A. Nos. 4544 to 4546 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM

THE HONOURABLE Dr. JUSTICE R.N.MANJULA

A. Nos. 4544 to 4546 of 2025
in T.O.S. No. 4 of 2006
and T.O.S. No. 4 of 2006

A.No.4544 of 2025:-

- 1.Thallam Rajagopal
- 2.Thallam Narendra Gupta
- 3.Balasa Saroja
- 4.M.Vasundara
- 5.M.Vijayakumari
- 6.M.Anusuya
- 7.Thallam Sulochana
- 8.Thallam Jagadeesh
- 9.Thallam Surendra
- 10.Thalam Sridhar

...Applicants

Vs.

V.Sethuraman (died)

- 1.M.Sriram
- 2.Jeevan Lakshmi
- 3.Thallam Sri Hari Rao
- 4.Pathi Kanthamani
- 5.P.Prabhakara Rao

P.Bhaskar Rao (deceased)



A. Nos. 4544 to 4546 of 2025

6.P.Nageswara Rao

7.P.Premasudha Mani

8.P.Suvarchala Devi

9.P.Pavan Kumar

10.R.Bruhitha (minor)

... Respondents

Prayer : This application has been filed under Order XVIII Rule 17 of the Original Side Rules read with Section 151 of Code of Civil Procedure, praying to reopen the DW1 on defendant side evidence

For applicant : Mr.C.Ravichandran
For M/s.Jerome Pushparaj

For Respondents : Mr.M.Balasubramanian

A.No.4545 of 2025:-

1.Thallam Rajagopal

2.Thallam Narendra Gupta

3.Balasa Saroja

4.M.Vasundara

5.M.Vijayakumari

6.M.Anusuya

7.Thallam Sulochana

8.Thallam Jagadeesh

9.Thallam Surendra

10.Thalam Sridhar

...Applicants

Vs.

V.Sethuraman (died)

1.M.Sriram

2.Jeevan Lakshmi

3.Thallam Sri Hari Rao



A. Nos. 4544 to 4546 of 2025

4.Pathi Kanthamani
5.P.Prabhakara Rao

P.Bhaskar Rao (deceased)

6.P.Nageswara Rao
7.P.Premasudha Mani
8.P.Suvarchala Devi
9.P.Pavan Kumar
10.R.Bruhitha (minor)

... Respondents

Prayer : This application has been filed under Order XVIII Rule 17 of the Original Side Rules read with Section 151 of Code of Civil Procedure, praying to recall the DW1 on defendant side evidence.

For applicant : Mr.C.Ravichandran
For M/s.Jerome Pushparaj

For Respondents : Mr.M.Balasubramanian

A.No.4546 of 2025:-

1.Thallam Rajagopal
2.Thallam Narendra Gupta
3.Balasa Soroja
4.M.Vasundara
5.M.Vijayakumari
6.M.Anusuya
7.Thallam Sulochana
8.Thallam Jagadeesh
9.Thallam Surendra
10.Thalam Sridhar

...Applicants

Vs.



A. Nos. 4544 to 4546 of 2025

WEB COPY

V.Sethuraman (died)

- 1.M.Sriram
- 2.Jeevan Lakshmi
- 3.Thallam Sri Hari Rao
- 4.Pathi Kanthamani
- 5.P.Prabhakara Rao

P.Bhaskar Rao (deceased)

- 6.P.Nageswara Rao
- 7.P.Premasudha Mani
- 8.P.Suvarchala Devi
- 9.P.Pavan Kumar
- 10.R.Bruhitha (minor)

... Respondents

Prayer : This application has been filed under Order XIV Rule 8 of the Original Side Rules read with Order VIII Rule 1A (3) of Code of Civil Procedure, praying to file the following additional documents and the same may be received viz., copy of the letter written by the Late V.Sethuram (Estate of T.P.Gupta) to me without mentioned the date along with Photostat copy of the Will dated 27.12.2004 executed by the late T.Pullana Gupta endorsed. The copy of the letter given by V.Sethuram to me regarding the Cheque of Rs.1,00,000/- bearing No.328214 dated 15.03.2005 drawn on UCO Bank, Chetpet Branch along with a photo at copy of affidavit of T.P.Gupta which was impressed a thumb-impression, the copy of the legal notice through advocate dated 04.04.2006 and also received the same by him it evident



A. Nos. 4544 to 4546 of 2025

WEB COPY

by the acknowledgment dated 12.04.2006 and the same I had returned the cheque for Rs.1,00,000/- bearing No.016483 dated 20.10.2005, Union Bank of India, Visakhapatnam (Main) Branch to Mr.V.Sethuram who is the executor of T.P.Gupta which was received by him as proof of acknowledgment to mark as a defendant side evidence.

For applicant : Mr.C.Ravichandran
For M/s.Jerome Pushparaj

For Respondents : Mr.M.Balasubramanian

These applications have been filed to recall the DW1 on defendant side evidence, to reopen the DW1 on defendant side evidence and also permit the applicants to file the following additional documents, viz., a copy of the letter written by the Late V.Sethuram (Estate of T.P.Gupta) to the 1st applicant without mentioning the date along with Photostat copy of the Will dated 27.12.2004 executed by the late T.Pullana Gupta endorsed, a copy of the letter given by V.Sethuram to the 1st applicant regarding the Cheque of Rs.1,00,000/- bearing No.328214 dated 15.03.2005 drawn on UCO Bank, Chetpet Branch along with a photostat



A. Nos. 4544 to 4546 of 2025

WEB COPY

copy of affidavit of T.P.Gupta, a copy of the legal notice sent through an advocate dated 04.04.2006 and also acknowledgment dated 12.04.2006 and the 1st applicant had returned the cheque for a sum of Rs.1,00,000/- bearing No.016483 dated 20.10.2005, Union Bank of India, Visakhapatnam (Main) Branch to Mr.V.Sethuram who is the executor of T.P.Gupta, which was received by him as proof of acknowledgment to mark as a defendant side evidence.

2. Heard the learned counsel for the applicants and the learned counsel for the respondents.

3. Being satisfied with the reasons stated in the affidavits filed in support of these applications and in the interest of justice, **these applications are allowed** permitting the applicants to recall and reopen the DW1 evidence and to file the documents as mentioned in the Judges Summons. No costs.



A. Nos. 4544 to 4546 of 2025

WEB COPY 4. Considering the submission of the learned counsel for the defendants, the matter is sent back to the learned Additional Master No.IV by directing the parties to appear before the learned Additional Master No.IV on 23.09.2025, on which date DW1 shall be present without taking any other excuse.

16.09.2025

Maya



WEB COPY



A. Nos. 4544 to 4546 of 2025

Dr.R.N.MANJULA, J.

Maya

A. Nos. 4544 to 4546 of 2025
in T.O.S. No. 4 of 2006
and T.O.S. No. 4 of 2006

Dated : 16.09.2025