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CRP Nos.6131 & 6132 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP Nos.6131 & 6132 of 2025

1. K.Subha
D/o. Late.M.Kalimuthu,
No.L-15, Rajamannar Salai,
K.K.Nagar, Chennai 600 083.

2. K. Gomathy
D/o. Late. M. Kalimuthu,
No.1, 7th Cross St, Trustpuram,
Kodambakkam, Chennai 600 024.

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

Vs

K.Ambigapathy (Deceased)

A.Shantha (Deceased)

1. S.Gowri
D/o. Late.M.Kalimuthu,
No.1, 7th Cross Street,
Trustpuram, Kodambakkam,
Chennai 600 024.

2.K. Nirmala
D/o.Late. M. Kalimuthu,
No.1, 7th Cross St,
Trustpuram, Kodambakkam,
Chennai 600 024.

3.K.Karunakaran
S/o. Late. M. Kalimuthu,
D.No.47/3, Kamala Nehru Nagar,



2nd St, Arumbakkam, Chennai 600 106.

4.The Tamil Nadu Slum Clearance
Board

Rep. by its Chairman,
Kamarajar Salai, Chennai 600 005.

5.K.Kannan
S/o. Late. M. Kalimuthu,
No.1, 7th Cross Street,
Trustpuram, Kodambakkam,
Chennai 600 024.

Respondent(s) in
C.R.P.No.6131 of 2025

1. K.Kannan

K.Ambigapathy (Deceased)

A.Shantha (Deceased)

2. Gowri

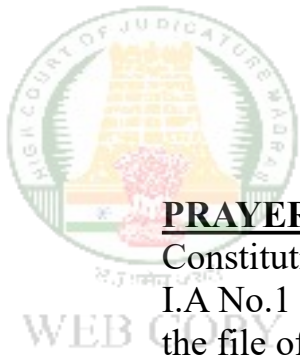
3. K.Nirmala

4.K.Karunakaran

5.The Tamil Nadu Slum Clearance Board
Rep. by its Chairman,
Kamarajar Salai, Chennai 600 005.

Respondent(s)
in C.R.P.No.6132 of 2025

PRAYER in CRP No. 6131 of 2025: Petition filed under Article 227 of the Constitution of India, praying to set aside the docket order dated 05.08.2025 passed in IA No.2 of 2023 in OS No.5743 of 2012, on the file of XIII Assistant City Civil Court Chennai, and restore the IA No.2 of 2023 in OS No.5743 of 2012 on the file of XIII Assistant City Civil Court, Chennai.



PRAYER in CRP No. 6132 of 2025: Petition filed under Article 227 of the Constitution of India, to set aside the docket order dated 05.08.2025 passed in I.A No.1 of 2020 in OS No.5743 of 2012 vide docket order dated 05.08.2025 on the file of XIII Assistant City Civil Court Chennai.

	For Petitioners:	Mr.G.Ramdas	
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ORDER

Heard Mr.G.Ramdas, learned counsel for the revision petitioners.

2. These revisions have been filed, challenging the dismissal of the applications filed by the revision petitioners/decreed holders in IA No.2 of 2023 and I.A No.1 of 2020, on the file of XIII Assistant Judge, City Civil Court, Chennai.

3. I.A.No.1 of 2020 was filed for passing of final decree and I.A.No.2 of 2023 was filed for enquiry regarding mesne profit. Pending these applications, the petitioners were put on notice about the death of 1st and 2nd defendants. The Court recorded the death of defendants 1 and 2 and thereafter proceeded with the final decree application.

4. The Court below has ordered the applications for condonation of delay in representing the Interlocutory application filed to amend the cause title. Strangely, the Court below has proceeded to dismiss the application for passing



of final decree and enquiry into mesne profit.

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5. The Court below has clearly erred in dismissing these applications, especially when on one hand, the delay in representing the application to carry out the necessary amendment in the final decree application being ordered.

6. I find from the returns also that there is no reason given, except stating that steps have not been taken effectively. When the petitioners have taken out an application to correct the cause title, it was sufficient for the trial Court to keep these petitions pending, instead of rejecting the same on the ground that no steps have been taken.

7. In the light of the above, the Docket Sheet orders in I.A.No.1 of 2020 and I.A.No.2 of 2023 in OS No.5743 of 2012 are set aside. The trial Court shall proceed with I.A.SR.Nos.34695 & 43401 of 2025 in I.A.No.1 of 2020 and I.A.SR.Nos.34694 & 43402 of 2025 in I.A.No.2 of 2020, and dispose of these applications on merits and in accordance with law, after numbering the same. Subject to the result of these applications, further orders shall be passed in I.A.Nos.1 of 2020 and I.A.No.2 of 2023, on merits and in accordance with law.



8. With the above observations and directions, these Civil Revision
Petitions are disposed of. No costs.

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28-11-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

The XIII Assistant Judge, City Civil Court, Chennai.



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P.B.BALAJI J.
jd

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