



C.R.P.No.5207 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.5207 of 2025
and C.M.P.No.26242 of 2025

K.Murthy

... Petitioner

VS.

D.K.Jayasudha,
Rep. by her POA, N.Kumaran,
S/o. R.Nagarathinam, No.10/93, Big Street,
Sathuvachari, Vellore – 632 009

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order passed by the learned 1st Additional District Judge, Vellore in I.A.No.11 of 2025 in O.S.No.34 of 2013 dated 26.08.2025.

For Petitioner : Mr.J.Suresh

For Respondent : M/s.S.Suriya Badrinath

ORDER

The Civil Revision Petition is filed challenging the order passed by the Court below dismissing the application filed by the petitioner seeking to reopen the case in O.S.No.34 of 2013.

2. The 1st respondent therein filed a suit for specific performance. The petitioner herein was arrayed as a 1st defendant in the suit. The trial in the



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suit was over and the defendants' side evidence was closed as early as 08.11.2018. Thereafter, the application in I.A.No.11 of 2025 has been filed seeking to reopen the case for recalling DW.1 for the purpose of production of certain new documents, which were obtained by the petitioner. The said application was dismissed by the Court below. Aggrieved by the same, the petitioner has come before this Court.

3. The learned counsel appearing for the petitioner would submit that subsequent to the closure of evidence, the petitioner got some new documents and the same will have bearing on the pleas raised by the 1st defendant and hence, an opportunity shall be given to the petitioner to reopen the case.

4. A perusal of the impugned order passed by the Court below would establish that the petitioner/1st defendant's side evidence was closed as early as 08.11.2018. Thereafter, the petitioner filed applications in I.A.Nos.5 and 6 of 2022 for reopening the case and to recall of DW.1 for the purpose of production of certain documents. Those interlocutory applications were dismissed and the said order had attained finality. After three years, the petitioner again filed the present application to reopen the case for the purpose of marking the new documents, which were already attempted to be



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marked by filing reopen petition. It is also seen that the documents sought to be produced were obtained by the petitioner under Right to Information Act as early as 2019. Absolutely there is no satisfactory explanation on the part of the petitioner for waiting for more than four years to file present application and having regard to the fact that the petitioner's side evidence was closed as early as 2018 and a similar petitions filed by the petitioner earlier in the year 2022 were already dismissed, therefore, this Court is not inclined to interfere with the impugned order passed by the Court below in I.A.No.11 of 2025 in O.S.No.34 of 2013, dated 26.08.2025.

5. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, the connected civil miscellaneous petition is closed.

30.10.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To
The 1st Additional District Judge, Vellore.



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S.SOUNTHAR, J.

dm

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