



WEB COPY

CRP No.5784 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 5784 of 2025 and
CMP No.28726 of 2025**

1. Aadhavan Mani
S/O. Mani, No.123, P.V.Vaithiyalingam
Road, Pallavaram, Chennai - 600043.

Petitioner(s)

Vs

1. P.R.Janakiraman
Prop of Sree Gayathri Industries, No.1,
Thiruvalluvar Apartments,
Nesapakkam, Chennai - 600078

2.R.Velayudham
S/o Ramakrishnan, No.18, 2nd Street,
Gandhi Nagar, Urabakkam, Chennai
603 210

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Order dated 22.10.2025 passed in IA.No.2 of 2025 in OS.No.4940 of 2023 by the XXII Assistant City Civil Court at Chennai.

For Petitioner(s): Mr.J.Chandran Sundar
 Sashikumar
 for Mr.P.Arumugam



ORDER

This Civil Revision Petition is filed challenging the order passed by the Trial Court, dismissing the application filed by the petitioner seeking impleadment of one R.Velayudham as party to the suit.

2. The respondent/plaintiff herein filed a suit in O.S.No.4940 of 2023 for recovery of money from the petitioner/defendant, based on the dishonoured cheque issued by him. The petitioner filed a written statement pleading discharge. According to him, he paid a sum of Rs.10,50,000/- to one R.Velayudham, as per the instructions of the respondent/plaintiff. In the suit, trial already commenced and the same was posted for defendant side evidence. At this stage, the petitioner filed the instant application on the ground that the presence of the said Velayudham is necessary to prove his plea of discharge. The said application was dismissed by the Trial Court and aggrieved by the same, the petitioner has come before this court.

3. The learned counsel for the petitioner/defendant would submit that the petitioner paid a sum of Rs.10,50,000/- to the said Velayudham, as per the instructions given by the plaintiff. In order to prove the same, the said Velayudham shall be impleaded as party defendant in the suit. If the petitioner wants to prove the payment of amount to R.Velayudham, it is always open to



the petitioner to examine the said Velayudham as one of the witnesses in the suit. Merely because the petitioner wants to prove the facts pleaded by him in the written statement, the said Velayudham cannot be impleaded as party defendant in the suit. Therefore, I do not find any error in the order passed by the Trial Court to interfere the same.

4. Accordingly, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

20-11-2025

MST

To

The XII Assistant Judge,
City Civil Court, Chennai.



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S.SOUNTHAR J.

MST

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