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CRP No. 6517 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 6517 of 2025 and
CMP.No.32190 of 2025**

1. Balakrishnan

2. Murugan

3. Sumathi

Petitioners

Vs

1. Vasanthi

2.Palaniammal

3.Vijaya

4.Santhi

5.Venkatesan

6.Ramar

7.Seenuvasan

8.Padmavathy



9.Raja

10.Annadurai

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11.Shanmugam

Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the order and decree passed in IA.No.418 of 2025 in OS.No.21 of 2008, by the Principal Subordinate Court, Kallakurichi.

For Petitioner(s): Mr.S.B.Viswanathan

ORDER

The Civil Revision petition is filed challenging the order passed by the trial court allowing the application filed by the respondents 1 to 5/ plaintiffs seeking re-opening of the case for the purpose of adducing further evidence.

2. The respondents 1 to 5/plaintiffs filed a suit for partition against the petitioners and others. The trial in the suit was over and the matter was posted for arguments. At this stage, the respondents 1 to 5/ plaintiffs acquired knowledge about the encumbrance created on the property and therefore, impleading application was filed seeking impleadment of defendants 4 to 9 and they were impleaded. Subsequently, they also filed a separate written statement. In these circumstances, the plaintiffs filed application seeking re-opening of the case to lead further evidence in view of the written statement filed by the newly



impleaded parties. The same was opposed by the petitioners mainly on the ground that subsequent to filing of the additional written statement, no new issue was framed and leading of further evidence is unnecessary.

3. It is not in dispute that pending suit, the original defendants sold the properties to defendants 4 to 9 and they were impleaded after recording of evidence was over in the suit. They also filed separate written statement. In view of the same, the plaintiffs want to lead further evidence and the same was allowed by the trial court in order to give an opportunity to the respondents 1 to 5/ plaintiffs. The order impugned in this revision will not cause serious prejudice to the petitioners. Giving an opportunity to the plaintiffs to lead further evidence in view of the written statement filed by the newly impleaded parties cannot be faulted. I do not find any serious error in the order passed by the trial court.

4. Accordingly, the Civil Revision Petition stands dismissed. Taking into consideration the partition suit was of the year 2008, the Trial Court is directed to dispose of the suit as expeditiously as possible. No costs. Consequently, the connected miscellaneous petition is closed.

19-12-2025

Index: Yes/No
Speaking/Non-speaking order



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Internet: Yes
Neutral Citation: Yes/No
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To
The Principal Subordinate Court, Kallakurichi.



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S.SOUNTHAR J.
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