



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1080 of 2026 & CMP.No.5693 of 2026

Velkumar
S/o Vaithi Alias Vaithianathan,
NO.34, Rice Mill Street,
Thiruppanambakkam Village,
Kalaiyur Post,
Cuddalore Taluk 607 109
Cuddalore District

..Petitioner(s)

Vs

1. Jayalakshmi Alias Kuppammal
W/o Padmanaba Reddiyar,
Kalaiyur road,
Thiruppanambakkam Village,
Kalaiyur Post,
Cuddalore Taluk 607 109
Cuddalore District
2. Natarajan
S/o Ramalingam,
Rice Mill Street,
Thiruppanambakkam Village,
Kalaiyur Post,
Cuddalore Taluk 607 109
Cuddalore District
3. Tamizhselvan
S/o Kannan,
NO.80A, Rice Mill Street,
Thiruppanambakkam Village,
Kalaiyur Post,



Cuddalore Taluk 607 109
Cuddalore District

..Respondent(s)

Prayer : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the fair order dated 12.12.2025 passed in IA.No.368 of 2025 in OS.No.347 of 2023 on the file of the I Additional Sub Judge, Cuddalore.

For Petitioner(s): Mr.D.Baskar

ORDER

Challenging the impugned Order passed by the trial Court in I.A.No.368 of 2025 filed seeking permission to file reply statement to the written statement filed by the defendant, the present Civil Revision Petition has been filed.

2. The petitioner is the plaintiff in the suit. He had filed the suit for declaration and consequential permanent injunction. The defendants have filed written statement in the suit. At this stage, the plaintiff had filed an application under Order VIII Rule 9 of Code of Civil Procedure seeking permission to file reply statement and the same was dismissed by the trial Court by following the ratio laid down by the Delhi High Court in Dinesh Kumar Verma Vs. Ramesh Ghai dated 11.09.20205 stating that Code of Civil Procedure does not contemplate filing of replication also known as rejoinder and there is no right vested to the plaintiff to file replication , once trial has commenced and there is



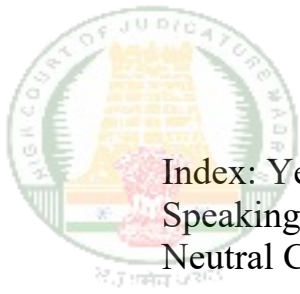
no scope for accepting replication which in any case ought to have been filed prior to framing of issues. Challenging the same, the present revision has been filed.

3. It is the contention of the petitioner that the trial Court had erroneously dismissed the application and if the plaintiff is not permitted to file the reply statement, he will be put to severe hardship.

4. Admittedly, before the trial Court, the respondents have not raised any objection in allowing this application and trial has not yet commenced in the suit. As per Order VIII Rule 9 Code of Civil Procedure, plaintiff can file reply statement with the leave of the Court. The respondent is at liberty to raise all his defence at the time of trial. Hence, this Court is inclined to allow this revision petition.

5. Accordingly, this Civil Revision Petition is allowed. Both the parties are directed to co-operate with the trial proceedings. No costs. Consequently, connected miscellaneous petition is closed.

05-03-2026



Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

The I Additional Subordinate Judge,
Cuddalore.



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T.V.THAMILSELVI, J.

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