



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

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

CRP No. 799 of 2026 & CMP.No.4194 of 2026

Sujatha
D/o Late Pandurangan
W/o Parasuraman
No.1/31A, Kulakkarai Street
Alampoondi Village
Gingee Taluk
Villupuram District

..Petitioner(s)

Vs

1. Kandasamy
S/o Late Pandirangan
Valathy Village,
Melmalaiyanoor Taluk
Villupuram District.
Presentl at 3rd Cross Street
Rajenthira Nagar, Gingee Town,
Villupuram District.
2. Seenuvasan
S/o.Late Pandurangan,
Arasamaram St,
Melmalaiyanoor Tk,
Villupuram Dist.
3. Ganapathy
S/o.Late Pandurangan,
Arasamaram St,
Melmalaiyanoor Tk,
Villupuram Dist.



4. Latha
D/o.Late pandurangan,
Arasamaram St,
Melmalaiyanoor Tk,
Villupuram Dist.

..Respondent(s)

Prayer : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the fair and decretal order dated 8.12.2025 made in IA.No. 582/2025 in OS.No.320/2014 on the file of the learned Additional District Munsif, Gingee.

For Petitioner(s): Mr. A. Saravanan

ORDER

Challenging the impugned Order passed by the trial Court in I.A.No.582 of 2025 in O.S.No.320 of 2014, the present Civil Revision Petition has been preferred by the revision petitioner.

2. The first respondent/plaintiff has filed the suit for declaration and permanent injunction. Pending suit, the first defendant died and his legal representatives have been impleaded as the defendants 2 to 5 in the suit. The revision petitioner is the fifth defendant in the suit. The revision petitioner had filed an application before the trial Court seeking permission to receive additional written statement and to adduce evidence on the side of the petitioner, stating that as his earlier counsel had not filed additional written



statement on his behalf and without which the trial was commenced and as the petitioner came to know that he is also a party to the proceedings, he has filed the application before the trial Court. But the trial Court failed to consider the facts and circumstances and erroneously dismissed the application holding that the application has been filed only to protract the proceedings. Aggrieved over the same, the present Civil Revision Petition has been filed.

3. Admittedly, the suit is posted for arguments. The earlier counsel, who appeared for the revision petitioner has not filed any written statement on behalf of the revision petitioner. A perusal of the records reveals that with regard to execution of the settlement deed, there is dispute between the parties. As per the contention of the revision petitioner, the alleged settlement deed was cancelled on 17.06.2014 and subsequently, the suit property was purchased by the petitioner on 05.07.2017. However, after the petitioner was impleaded in the suit, she had not filed any written statement. According to the revision petitioner, she is the owner of the property.

4. Considering the fact that the relief of declaration of title of the suit property has been sought in the suit and as on date, the petitioner claims title over the suit property by virtue of sale deed dated 05.07.2017, the petitioner has to be given an opportunity to file written statement and to adduce evidence in the suit.



5. Accordingly, this Civil Revision Petition is allowed and the impugned Order dated 08.12.2025 passed in I.A.No.582 of 2025 in O.S.No.320 of 2014 is set aside and the petitioner is directed to file written statement and adduce evidence in the suit. The plaintiff is at liberty to file reply statement. Both the parties shall co-operate with the trial proceedings.

10-03-2026

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

vrc

To

The Principal District Munsif,
Civil Judge [Junior Division],
Gingee.



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T.V.THAMILSELVI, J.

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