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CRP Nos. 1157, 1158 & 1160 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

CORAM

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

CRP Nos. 1157, 1158 & 1160 of 2024

AND

CMP NO. 5954 OF 2024

P.Vajjiram
S/o. Perumal,
Mariamman Nagar, Odasalpatti Post,
Pappireddipatti Taluk, Dharmapuri District.

..Petitioner in all CRPs

Vs

Rajendran
S/o. Thangavel
Mariamman Nagar, Odasalpatti Post,
Pappireddipatti Taluk, Dharmapuri District.

..Respondent in all
CRPs

COMMON PRAYER : Civil Revision Petitions are filed under Article 227 of the Constitution of India, to set aside the Fair and Decreetal order dated 10.01.2024 made in I.A.Nos. 3, 4 & 5 of 2023 in O.S.No. 93 of 2018 on the file of the District Munsif Court (Full Additional Charge), Pappireddipatti by allowing these CRPs.

In all CRPs :

For Petitioner(s):	Mr.N.Manokaran
For Respondent(s):	Mr.C.Prabakaran

COMMON ORDER

Challenging the impugned order dated 10.01.2024 made in I.A.Nos. 3, 4 & 5 of 2023 in O.S.No. 93 of 2018 on the file of the District Munsif Court (Full



Additional Charge), Pappireddipatti, the defendant has preferred these revision petitions.

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2. The defendant has filed applications before the trial court to recall PW1 which was not permitted. Aggrieved over the same, the defendant has preferred these revision petitions.

3. The learned counsel for the revision petitioner / defendant submits that on two occasions he was ready to cross examine PW1, but the plaintiff has not properly appeared. Therefore, there is no allegations on his part but the court below failed to give opportunity to cross examine PW1.

4. The learned counsel for the respondent raised objections stating that even the defendant not shown any keen interest to proceed with the trial and nearly about four years from the date of filing the plaint, he filed written statement and thereafter, the trial has commenced for that also he was not inclined to cross examine PW1.

5. On perusal of the records, it is seen that the learned trial judge has mentioned various dates on which the defendant is not ready to proceed with the matter. However, as on date now trial has begun and on two occasions, the defendant has not cross examined PW1. Therefore, this Court is inclined to



give one more opportunity to cross examine PW1 by setting aside the findings of the trial court with cost of Rs.3,000/-, payable by the revision petitioner to the respondent. The parties are directed to cooperate for the trial proceedings. The trial judge is directed to dispose of the case within a period of three months from the date of receipt of a copy of this order.

6. Accordingly, these Civil Revision Petitions are allowed. The impugned order dated 10.01.2024 made in I.A.Nos. 3, 4 & 5 of 2023 in O.S.No. 93 of 2018 on the file of the District Munsif Court (Full Additional Charge), Pappireddipatti, are set aside. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

27-04-2026

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

To

1. The District Munsif Court (Full Additional Charge), Pappireddipatti.



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T.V.THAMILSELVI J.

MTL

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