



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2575 of 2026

and

CMP.No.10858 of 2026

1. Rani

W/o Late Rajendran, Res at Kattupatti
Village, Soolagiri Post, Uthangarai Tk,
Krishnagiri Dist.

2. Paruthi

S/o Late Rajendran, Res at Kattupatti
Village, Soolagiri Post, Uthangarai Tk,
Krishnagiri Dist.

3. Karthikeyan

S/o Late Rajendran, Res at Kattupatti
Village, Soolagiri Post, Uthangarai Tk,
Krishnagiri Dist.

Petitioner(s)

Vs

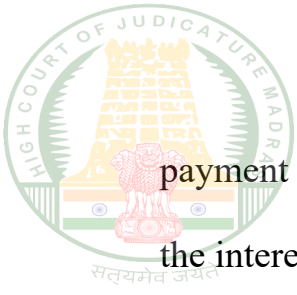
1. Aasaithambi

S/o Chinnagounder, Samandahalli
village, Elavadi Post, Harur Tk,
Dharmapuri Dist.

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, prays to set aside the Fair and decretal order passed by the learned Subordinate Judge, Harur, Dharmapuri District dated 03.12.2025 made in IA No. 1 of 2025 in OS No. 141 of 2019 and to allow the IA as prayed for without insisting upon



payment of Cost of Rs. 10,000/- or pass any other orders as may be deem fit and the interest of Justice.

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For Petitioner(s): MR.J.Pradeep

For Respondent(s):

ORDER

Challenging the order passed by the trial Judge in IA No. 1 of 2025 in OS No. 141 of 2019, dated 03.12.2025, on the file of the Subordinate Court, Harur, Dharmapuri District, the revision petitioners/defendants 1 to 3 have preferred the present revision.

2. Before the trial Court, the revision petitioners/defendants filed I.A. No. 1 of 2025 seeking condonation of a delay of 56 days in depositing the costs imposed by the trial Court while allowing the petition to set aside the ex parte decree. The said application was dismissed by the learned trial Judge. According to the petitioners, no proper reasons were assigned and the application was filed only to secure an opportunity to contest the matter.

3. The learned counsel submitted that due to lack of communication, the petitioners were unable to pay the costs within the stipulated time and therefore seeks permission to comply with the condition. He further submitted that after the death of Rajedran, the petitioners have been facing severe family difficulties



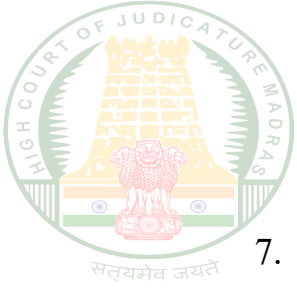
and were therefore unable to comply with the order.

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4. The non-compliance was not wilful. Considering the family circumstances and illness suffered by the petitioners, this Court is inclined to provide one more opportunity. Accordingly, the impugned order passed in IA No. 1 of 2025 in OS No. 141 of 2019, dated 03.12.2025, on the file of the Subordinate Court, Harur, Dharmapuri District, is set aside and the same is allowed.

5. Further, a perusal of the records reveals that the case of the plaintiff is that the husband of the first revision petitioner, namely Rajendiran, borrowed a sum of Rs.7,50,000/- carrying interest at the rate of 12% per annum. Since he failed to repay the amount and subsequently died, his legal heirs have been impleaded in the proceedings. The legal heirs contend that they were unaware of the loan transaction and, after the death of Rajendiran, faced considerable hardship and were therefore unable to appear before the Court.

6. Taking into consideration their family circumstances, this Court is inclined to modify the costs imposed by the trial Court. Accordingly, the cost of Rs.10,000/- is reduced to Rs.3,000/-.

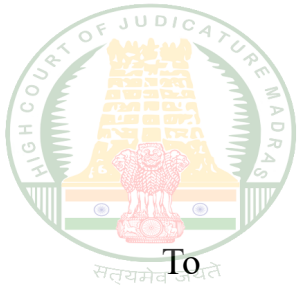


7. The petitioners are directed to pay a sum of Rs.3,000/- to the respondent/plaintiff within a period of two weeks from the date of receipt of a copy of this order.

8. In view of the above, this Civil Revision Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

03-06-2026

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

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1. Aasaithambi

S/o Chinnagounder, Samandahalli
village, Elavadi Post, Harur Tk,
Dharmapuri Dist.

2. The Subordinate Judge, Harur,
Dharmapuri District.

3. The Section Officer, VR section,
High Court of Madras.



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T.V.THAMILSELVI J.
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