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CRP No. 941 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 941 of 2026

1. K.S.Shankar
S/O. T.K.Subrmanaiam, NO.76/20,
Bungalow Street, Cheyyar Town and Circle,
Thiruvannamalai - 604407.

Petitioner(s)

Vs

1. S.Perumal
S/O. T.K. Subramanian Mudaliar, Old
No.4/20, New No.286, First Floor, Anna
Nagar, Cheyyar Town and Circle,
Thiruvannamalai - 604407.
2.S.Gopal
S/o.T.K.Subramania Mudaliar res at
No.76/20, Bungalow Street Cheyyar Town
and Circle Thiruvannamalai -604407
3.S.Sivakumar
S/o.Subramania Mudaliyar 76/20 Bungalow
St. Cheyyar Thiruvannamalai-604407
4.S.Karthik Alias Gokularaman
No.286, 1st Street, Anna Nagar, Cheyyar
Thiruvannamalai Dist-604407

Respondent(s)

Revision filed under Article 227 of Constitution of India to direct the Additional
District Munsif, Cheyyar to entertain I.A.SR.No.114 of 2025 in O.S.No.504 of 2008.



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For Petitioner(s): M.Nalla Thambi
L.sweety

For Respondent(s): Mr..K.G.Senthilkumar
for R2
Batta Due – R.1, R.3 and R,4

ORDER

An application to restore the suit filed by the revision petitioner/plaintiff was dismissed, against which, the revision petitioner/plaintiff filed CRP No.3204 of 2022 and this Court by order dated 25.10.2024 allowed the revision directing the revision petitioner/plaintiff paying a cost of Rs.10,000/- before the trial Court within a period of two weeks from the date of receipt of a copy of that order and in the event of such payment of cost being made in time, this Court directed the trial Court to formally number the restoration application and also allow the same and directed the parties to face trial in the main suit and also directed the trial court to dispose of the suit on or before 30.04.2025. The revision petitioner/plaintiff applied for a certified copy of the order dated 30.10.2024 on the same day, but could not get. Immediately after obtaining certified copy through a fresh application in CD No.13049 of 2025 on 07.08.2025, the petitioner approached the trial Court on 08.08.2025 with a petition and affidavit expressing his willingness to comply with the conditional order by paying a sum of Rs.10,000/-, but, the Court was not inclined to accept the same as there is a delay.



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Aggrieved over the same, the present revision has been filed.

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2. On perusal of the records, it reveals that the revision petitioner/plaintiff, has plaintiff, filed a suit in O.S.No.504 of 2008 for partition claiming 1/4th share in the entire suit property, which was said to be purchased by his mother. The plaintiff and the defendants 1 to 3 are entitled to 1/4th share each as per the plaint averments. Admittedly, as on date, the house property was enjoyed by the other defendants.

3. Considering the facts and circumstances of the case, this Court is inclined to give one more opportunity to the revision petitioner/plaintiff as there is no fault on his side. Therefore, the time to deposit the cost of Rs.10,000/-(Rupees Ten Thousand Only) before the trial Court is extended for a period of two weeks from the date of receipt of a copy of this order.

4. The revision petitioner/plaintiff has already filed an application in I.A.SR.No.114 of 2025. On payment of cost of Rs.10,000/- by the revision petitioner/plaintiff, I.A.SR.No.114 of 2025 is ordered to be taken on file and the revision petitioner/plaintiff is directed to proceed with the suit and the Additional District Munsif Court, Cheyyar is directed to dispose of O.S.No.504 of 2008 on merits and in



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sr

accordance with law within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, the civil revision petition is allowed. No costs.

08.06.2026

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Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

The Additional District Munsif Court, Cheyyar

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