



WEB COPY

CRP No. 2396 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 2396 of 2026 AND CMP NO. 10279 OF 2026

B.Shanthi

..Petitioner(s)

Vs

Karthik Jeyaraman

..Respondent(s)

To set aside the order dated 22.1.2026 made in IA.No.2/2025 in OS.No.3/2024 on the file of the court of Subordinate Judge, Poonamallee, Thiruvallur Dist.

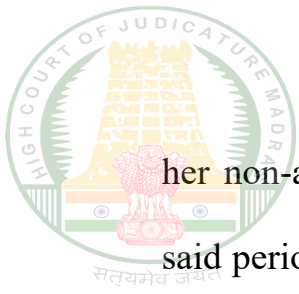
For Petitioner(s): Mr.M.Kamesh

For Respondent(s): Mr.K.Ashok Kumar

Order

This Civil Revision Petition has been filed, challenging the impugned order dated 22.01.2026 passed by the Trial Court in I.A. No.2 of 2025 in O.S. No.3 of 2024.

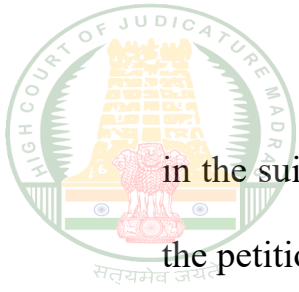
2.Under the impugned order, an application filed by the petitioner, who is the defendant in the suit, seeking to set aside the exparte order, has been dismissed on the ground that the petitioner has not given sufficient reasons for



her non-appearance. The petitioner had stated that she was unwell during the said period and only due to the said reason, she was unable to appear before the Trial Court. The same was disputed by the plaintiff in the suit.

3. Admittedly, the order passed by the Trial Court is only an ex parte order and no decree has been passed against the petitioner. The suit was filed for eviction by the respondent/plaintiff against the petitioner/defendant. Being an eviction suit, the petitioner must be granted an opportunity to defend the suit, on merits. There is also no delay on the part of the petitioner in filing the application to set aside the ex parte order passed by the Trial Court. Though the petitioner may not have produced any evidence before the Trial Court to prove that she was suffering from medical ailment, this Court, while deciding an application seeking to set aside the ex parte order that too when there is no delay on the part of the petitioner to file the same, has to be liberal in allowing such an application. The interest of the respondent/plaintiff will also be protected if a direction is issued to the Trial Court to dispose of the suit within a time frame to be fixed by this Court.

4. For the foregoing reasons, this Civil Revision Petition is disposed of by directing the petitioner to file a written statement, within a period of two weeks from the date of receipt of a copy of this order, failing which the petitioner will be set ex parte in the suit by the Trial Court and Trial Court shall proceed further



in the suit in the absence of the petitioner. On filing of the written statement by the petitioner within the stipulated time as directed by this Court, the Trial Court shall dispose of the suit after framing of issues, within a period of one year thereafter. No costs. Consequently, connected CMP is closed.

04-06-2026

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

VGA

To

1.The Subordinate Judge,
Poonamallee, Thiruvallur District.

2.The Section Officer, VR Section,
High Court, Madras.



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ABDUL QUDDHOSE J.

VGA

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