



WEB COPY

CRP No. 830 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

**CRP No. 830 of 2025
and C.M.P.No.4940 of 2025**

P. Nagarathinam

..Petitioner

Vs

A. Thomas

..Respondent

PRAYER – This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 20.02.2025 made in B diary abstract of OS No.593 of 2022 allowing the Petition to receive additional document in IA No.13 of 2025 by the learned VII Additional City Civil Judge, Chennai.

For Petitioner(s):

Mr.S.R.Raghunathan

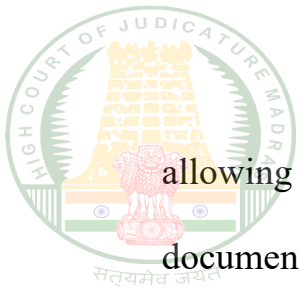
for Mr.P. Ravichandran

For Respondent(s):

Mr.S.Jaganathan

ORDER

This Civil Revision Petition has been filed challenging the impugned order dated 20.02.2025 made in B diary abstract of O.S.No.593 of 2022,



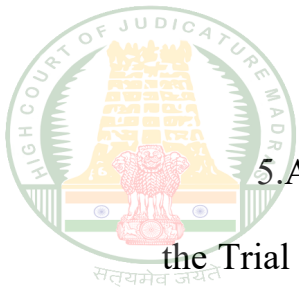
allowing the petition filed by the respondent/plaintiff to file additional documents in I.A.No.13 of 2025.

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2.The aforesaid order was passed by the VII Additional City Civil Court, Chennai, in a suit filed by the respondent seeking for specific performance of alleged agreement of sale said to have been entered into between the petitioner and the respondent. The petitioner is the defendant in the said suit. The petitioner has filed the Civil Revision Petition on the ground that the additional document allowed to be received by the Trial Court is irrelevant for the dispute and no opportunity was granted by the Trial Court to contest I.A.No.13 of 2025 on merits, by filing a counter.

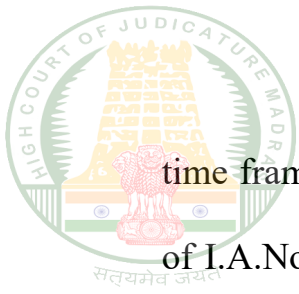
3.According to the petitioner, arbitrarily, on the very same date of hearing of I.A.No.13 of 2025, without granting an opportunity for the petitioner to file counter, the Trial Court has allowed I.A.No.13 of 2025, which is detrimental to the interest of the petitioner in the main suit.

4.The learned counsel for the respondent is present.



5. Admittedly, on the very same day of first hearing of I.A.No.13 of 2025, the Trial Court has allowed I.A.No.13 of 2025, permitting the respondent to file an additional document, which according to the petitioner is irrelevant. In the impugned order, the Trial Court has observed that the counter has not been filed by the petitioner herein/defendant. When I.A.No.13 of 2025 has been posted for first hearing by the Trial Court only on 20.02.2025, the question of observing that counter has not been filed by the petitioner/defendant is arbitrary, as it has been posted for the petitioner to file counter on the very same date of the first hearing of the I.A.No.13 of 2025. Admittedly, the petitioner was not afforded any opportunity by the Trial Court to contest I.A.No.13 of 2025. The petitioner has also raised various contentions before this Court opposing I.A.No.13 of 2025. Only if opportunity of hearing is granted to the petitioner to raise all objections available to the petitioner under law, I.A.No.13 of 2025 can be decided on merits and in accordance with law.

6. Since the petitioner has not been granted an opportunity to file a counter in I.A.No.13 of 2025 by the Trial Court and the objections raised by the petitioner as raised in the Civil Revision Petition have not been considered by the Trial Court as Trial Court has passed a non-speaking order, this Court, in the interest of justice, deems it fit to set aside the impugned order by directing the Trial Court to grant an opportunity for the petitioner to file a counter within a



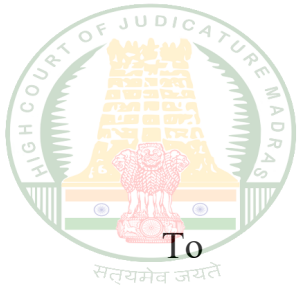
time frame to be fixed by this Court and on receipt of the said counter, dispose of I.A.No.13 of 2025 within a time frame to be fixed by this Court. This Court is not expressing any opinion on the merits of the respective contentions raised before this Court.

7. Accordingly, the impugned order dated 20.02.2025, made in B diary abstract of OS No.593 of 2022, allowing the Petition to receive additional document in IA No.13 of 2025 by the VII Additional City Civil Judge, Chennai, is hereby set aside by this Court and the petitioner is directed to file a counter in I.A.No.13 of 2025, within a period of one week from the date of receipt of a copy of this order. On receipt of the said counter within the stipulated time, the Trial Court namely the VII Additional City Civil Court, Chennai, is directed to dispose of I.A.No.13 of 2025, within a period of two weeks thereafter. No costs. Consequently, connected Miscellaneous Petition is closed.

15-06-2026

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

GSA



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To

WEB CRI The VII Additional City Civil Judge,
Chennai.



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ABDUL QUDDHOSE, J.

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