



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

CRP No. 1061 of 2026

1. J.B.Malhotra

2. Mahesh Kumar Malhotra

Suresh Kumar Malhotra (Died)

..Petitioner(s)

Vs

1. Shankar Mohan

2. Jeyachandren Daniel Moses

3. The Sub Registrar
Neelangarai,
Chennai.

..Respondent(s)

CRP filed under Article 227 of the Constitution of India, to allow this Civil Revision Petition and direct the Honble District Munsif Judicial Magistrate Court Shollinganallur at Chennai to dispose of IA No. 4 of 2025 in OS No.1085 of 2024 on merits expeditiously within a time frame as may be fixed by this Honble Court.



For Petitioner(s): Mr.S.Rajasekar

For Respondent(s): Mr.V.Ramesh, G.A., for R3

ORDER

Heard Mr.S.Rajasekar, learned counsel for the petitioner. Mr.V.Ramesh, learned Government Advocate, takes notice for the third respondent.

2. The suit filed by the petitioner was dismissed for default on 04.04.2025. An application was immediately filed for restoration of the suit invoking Order IX, Rule 9 of CPC in I.A.No.4 of 2025. The grievance of the petitioner is that the said application has not been disposed of for more than one year and the delay is causing serious prejudice.

3. The learned counsel for the petitioner brings to my notice that the petitioner was enjoying the interim order pending suit and taking advantage of the dismissal of the suit, now the respondent has filed a fresh suit, which has been entertained before the same Court. He would also bring to my notice that I.A. is now posted on 03.03.2026 and pleadings are already completed.

4. In the light of the above, I am inclined to dispense with notice to the respondents and allow the Civil Revision Petition. The learned District Munsif-



cum-Judicial Magistrate is directed to dispose of I.A.4 of 2025 on or before 13.03.2026. Accordingly, the Civil Revision Petition is allowed. No costs.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
Note: I.T. on 27.02.2026
PVS

To

1. The District Munsif-cum-Judicial Magistrate,
Shollinganallur at Chennai.
2. The Sub Registrar,
Neelangarai,
Chennai.



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P.B.BALAJI, J.

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