



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 3607 of 2026

1. Kaliammal
2. Santhi
3. Rajkumar
4. Kaliammal

Petitioner(s)

Vs

1. Rajammal
2. Jeeva

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order of rejection dated 05.02.2026 passed in un-numbered IA SR No.13288 of 2025 in OS No.140 of 2021 by the learned Additional Sub-Ordinate Judge, Tiruchengode and direct the Learned Additional Sub-Ordinate Judge, Tiruchengode, to take the said IA on file, number the same and hear and dispose of it on its own merits in accordance with law within a time frame as may be fixed by this Court.

For Petitioner(s): Mr.N.Subramaniyan

For Respondent(s): Notice dispensed with

ORDER

This Civil Revision Petition has been filed, challenging the impugned order dated 05.02.2026 passed by the Additional Sub Court, Tiruchengode, refusing to number the interlocutory application filed by the petitioners in I.A.

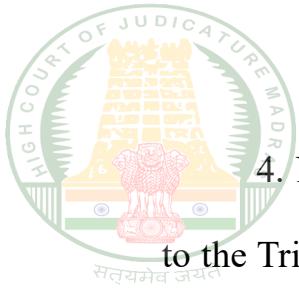


SR. No. 13288 of 2025 in O.S. No. 140 of 2021 on the ground that the said application is not maintainable.

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2. I.A. SR. No. 13288 of 2025 in O.S. No. 140 of 2021 was filed by the petitioners, seeking to punish the respondents for perjury on account of the alleged falsification and fabrication of documents. However, the Trial Court, under the impugned order, has refused to number the interlocutory application on the ground that the suit is pending for framing of issues and at this stage such an application cannot be filed.

3. The learned counsel for the petitioners has also placed reliance upon an authority rendered by this Court reported in **1991 (1) MWN (Cr.)** in the case of ***Sugesan Finance Investment Vs. Mulji Metha and Sons and Four Others*** in support of his contention that the perjury application can be filed at any stage of the suit. Hence, he would submit that the Trial Court has committed an error by holding that the interlocutory application filed by the petitioners is not maintainable. He would also submit that after the application is numbered, the Trial Court can once again test as to whether the application filed by the petitioners is maintainable or not and therefore, it ought not have rejected the application at the threshold itself by not numbering the same.



4. No prejudice will be caused to the respondents if a direction is issued to the Trial Court to number the I.A. SR. No. 13288 of 2025 in O.S. No. 140 of 2021, without prejudice to the rights of the respondents to raise the question of maintainability of the said application filed by the petitioners.

5. This Court is not expressing any opinion as to whether I.A. SR. No. 13288 of 2025 in O.S. No. 140 of 2021 is maintainable or not.

6. Since no adverse orders are passed against the respondents in this Civil Revision Petition, notice to the respondents is dispensed with by this Court.

7. For the foregoing reasons, this Civil Revision Petition is disposed of by directing the Additional Sub Court, Tiruchengode, to number the I.A. SR. No. 13288 of 2025 in O.S. No. 140 of 2021, if it is otherwise in order, and list the same for hearing at a specified date.

8. The Registry is also directed to return the original I.A. SR. No. 13288 of 2025 in O.S. No. 140 of 2021 to the counsel for the petitioners to enable the counsel for the petitioners to re-present the same before the Additional Sub Court, Tiruchengode for the purpose of numbering the I.A. SR. No. 13288 of



2025 in O.S. No. 140 of 2021 and list the same for hearing on the specified date to be fixed by the Additional Sub Court, Tiruchengode. No costs.

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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
The III Additional District Judge, Kallakurichi.



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ABDUL QUDDHOSE J.

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