



WEB COPY

CRP No. 1507 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP Nos. 1507, 1509 & 1510 OF 2026

&

CMP Nos. 7147, 7148 & 7150 OF 2026

R.Asokan
S/o. B.Ramdass,
No.102, West Ramlingam Road,
R S Puram, Coimbatore-641 002.

..Petitioner(s)
in all petitions

Vs

R.Mahesh Babu
S/o. (Late) K.Rajendran,
No.3-A, 2nd Road,
Ramakrishna Puram, Coimbatore-641 001.

..Respondent(s)
in all petitions

Common Prayer : Civil Revision Petitions filed under Article 227 of Constitution of India to set aside the fair and decreetal orders dated 04.03.2026 passed in IA.Nos.7, 8 and 9 of 2026 in O.S.No.87 of 2023 on the file of the Commercial Court Principal District Judge, Coimbatore and consequently permit the petitioner to receive additional document, to reopen evidence on the side of the plaintiff and to Recall PW1 for marking of relevant documents, and further grant the petitioner with reasonable opportunity to submit written arguments and advance oral arguments.



For Petitioner(s): P.Gnanasekaran – in all petitions

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COMMON ORDER

Challenging the dismissal of the applications filed by the petitioner to reopen, recall and to receive additional documents, the plaintiff had preferred the present Civil Revision Petitions.

2. The original suit was filed by the plaintiff seeking return of Item No.1 property of gold weighing 4,100.00 grams of 22 carat gold of purity or alternatively to pay amount equivalent to prevailing market value of 4,100.00 grams Rs.1,98,26,124/- along with interest at the rate 3% interest per month on Rs.2,02,54,694 with subsequent interest at 3% per month for Rs.1,98,26,124/- from the date of suit till realization. Pending suit the plaintiff filed applications in I.A.Nos.7, 8 and 9 of 2026 to file additional documents, to reopen plaintiff's side evidence and to recall P.W.1 for adducing evidence with regard to the additional documents. The trial Court dismissed the application filed to receive additional documents stating that the petitioner has not established any reasonable cause for filing additional documents and hence, holding that the other applications filed to reopen the evidence on the side of the plaintiff and to recall P.W.1 are also not sustainable and dismissed all the applications. Challenging the same, the present Civil Revision Petitions have been filed.



3. The learned counsel appearing for the petitioner argues that in order to prove the conduct of the defendant, certain documents have to be filed, more particularly, the First Information Report in Crime No.238 of 2023 registered against the defendant on the complaint given by one SivaKumar as if the defendant had cheated him to the tune of Rs.15 lakhs and to prove the conduct of the defendant, the said documents have to be marked and for the said purpose, evidence on the side of the plaintiff has to be reopened and P.W.1 has to be recalled. But the trial Court, without considering the same had erroneously dismissed the applications. He further submitted that without assigning any valid reason, the trial Court had dismissed the applications in a non speaking Order.

4. It is the specific case of the petitioner that in order to establish the conduct of the defendant, he seeks to produce the First Information Report registered against the petitioner and therefore, he seeks to reopen the evidence on the side of the plaintiff and to recall P.W.1. But the trial Court had dismissed the applications. Even a perusal perusal of documents reveals that, as rightly pointed out by the learned counsel appearing for the petitioner, on the complaint given by one Sivakumar, the First Information Report has been registered against the defendant Mahesh Babu. Therefore, an opportunity has



to be given to the petitioner to prove his case. Otherwise, his valuable right to establish his case will be defeated. Further, a perusal of the impugned Orders also reveal that the respondent has not filed any counter and seriously objected the applications.

5. Accordingly, these Civil Revision Petitions are allowed and the I.A.Nos.7, 8 and 9 of 2026 are allowed. Liberty is granted to the respondent to cross examine the witness. Thereafter, the trial Court is directed to proceed with the matter. No costs. Consequently, connected miscellaneous petitions are closed.

12-03-2026

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

vrc

Note : Issue Order Copy today [12.03.2026]

To

The Judge,
Commercial Court [District Judge Cadre],
Coimbatore.



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CRP No. 1507 of 2



T.V.THAMILSELVI J.

VTC

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AND
CMP Nos. 7147, 7148 & 7150 of 2026**

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