



C.R.P.No.2292 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 11.02.2026**

**CORAM**

**THE HONOURABLE MR.JUSTICE S.SOUNTHAR**

**C.R.P.No.2292 of 2025**  
**and**  
**C.M.P.No.13277 of 2025**

1.D.V.Thiyagarajan

2.D.V.Nagarajan

... Petitioners

VS.

1.Gudhi Padmanaba Naidu

2.V.Varadharajulu

3.V.Gajendran

... Respondents

**PRAYER:** Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 20.03.2025 passed in I.A.No.827 of 2024 in O.S.No.278 of 2015 on the file of Additional District Munsif Court, Vellore, Vellore District.

For Petitioners : Mr.PA.Sudesh Kumar



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## **ORDER**

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The Civil Revision Petition is filed challenging the order passed by the Additional District Munsif Court, Vellore District in I.A.No.827 of 2024 in O.S.No.278 of 2015, dated 20.03.2025 allowing the application filed by the petitioners seeking to recall DW.2 for the purpose of further cross examination on condition the petitioners shall pay a sum of Rs.10,000/- to the respondents.

2. It is not in dispute when the suit was posted for cross examination of DW.2 on 07.11.2024, the petitioners failed to cross examine the DW.2. Therefore, the evidence of DW.2 was closed, without cross examination. Immediately, the petitioners filed the instant application stating that on the relevant date, the petitioner's counsel was not well and therefore, he could not cross examine the DW.2. Accepting the reason given by the petitioners, the Trial Court was pleased to allow the application on payment of cost. Aggrieved by the imposition of cost, the petitioners have come before this Court.



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3. It is seen from the impugned order earlier the evidence of DW.2 was closed twice for the default of the petitioners in cross examining him.

4. Taking into consideration the previous conduct of the petitioner, the Trial Court thought it fit to impose a cost of Rs.10,000/- on the petitioners. I do not find any serious error in the impugned order passed by the Trial Court.

5. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, the connected civil miscellaneous petition is closed.

**11.02.2026**

Index : Yes / No  
Speaking order : Yes / No  
Neutral Citation : Yes / No  
dm

To

The Additional District Munsif Court,  
Vellore, Vellore District.



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**S.SOUNTHAR, J.**

dm

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