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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

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

CRP No. 1834 of 2025 & CRP NO. 1840 OF 2025

AND

CMP NO. 10593 OF 2025 & CMP NO. 10618 OF 2025

1. Karunakaran
S/o.Singaram,
Nadu Theru, Sirukadambur Colony and
village, Gingee Town

2. Sarada
W/o.Pitchamuthu,
Singavaram Road, Gingee Town

3. Subha
W/o.Natarajan,
Appampattu village, Gingee Taluk

Muniammal (Died)

..Petitioner(s) in
both C.R.P.s

Vs

1. Rajagopal
S/o.Jabamalai,
Sirugadambur Village, Gingee Taluk

2. Chandran
S/o.Jabamalai,
Sirugadambur Vilalge Gingee Taluk

Mannammal (Died)

Dhandapani (Died)



3. Chinna Thambi
S/o.Girithy @ Krishnan,
Matha Kovil Street, Krishnapuram village,
Gingee Taluk

Chingaram (Died)

4. Chandra Ammal
W/o.Achudhan,
Sirugadambur Colony, Gingee Taluk

Vasanthi (Died)

5. Iyappan
S/o.Dhandapani,
Sundaravinayakar Kovil Street, Sirugadambur
Colony, Gingee Taluk

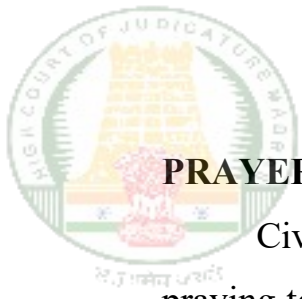
6. Lakshmi
D/o.Dhandapani,
Sundaravinayakar Kovil Street, Sirugadambur
Colony, Gingee Taluk

7. Kavitha
W/o.Jagadeesan,
F4, VK Apartment, Gangai Nagar, New
Secretariat Colony 3rd Street, Velacherry,
Chennai-600042

..Respondent(s) in
both C.R.P.s

PRAYER IN CRP No. 1834 of 2025

Civil Revision Petition filed under Art. 227 of Constitution of India, praying to set aside the fair and decretal order dt. 25.03.2025 in IA No.92/2025 in OS No.267/1984 on the file of the Court of the Principal District Munsif, Gingee and consequently, allow the IA No.92/2025 in OS No.267/1984

**PRAYER IN CRP No. 1840 of 2025**

Civil Revision Petition filed under Art. 227 of Constitution of India, praying to set aside the fair and decretal order dt. 25.03.2025 in IA No.91/2025 in OS No.267/1984 on the file of the Court of the Principal District Munsif, Gingee and consequently, allow the IA No.91/2025 in OS No.267/1984

In both CRPs

For Petitioner(s): Mr.T.Saikrishnan

For Respondent(s): Mr.P.Srinivas for R1 & R2

R-3 To R7 - No appearance

COMMON ORDER

Challenging the impugned common order passed in I.A.Nos.91 & 92 of 2025 in O.S.No.267 of 1984 by the learned Principal District Munsif, Gingee, the Revision Petitioners/defendants 6 to 9 have preferred these Civil Revision Petitions.

2.Before the trial court, the Revision Petitioners have filed applications to recall D.W.1 and to receive additional documents. Both applications were dismissed by the trial judge holding that sufficient opportunity was given to them to adduce their evidence, but they have not adduced all the documents at the relevant period and at the earlier occasion, there was opportunity was given to produce additional documents, but with an intention to drag on the proceedings, the revision petitioners came forward with those applications and the reasons stated by them was also not justifiable one. Aggrieved over that, the revision petitioners have preferred these Civil Revision Petitions.



3. Considering the fact that now the suit became part-heard and after the completion of D.W.1 cross-examination, the revision petitioners/defendants 6 to

9 have filed applications to recall D.W.1 and to receive additional documents.

Admittedly, the suit was filed in the year 1984 for the relief of declaration and other consequential relief. It also reveals that at various occasions, there was interim applications were filed by the defendants and as on date, the trial became part-heard and after the closure of the evidence D.W.1, again they came forward with the applications to recall and to produce additional documents. Therefore, the trial judge has rightly observed that in order to drag on the proceedings, they came forward with the said applications.

4. Furthermore, on perusal of records, the fact reveals that at the earlier occasion, the defendants have filed the application in I.A.No.36 of 2025 to produce additional documents and the same was allowed on payment of cost. Thereafter, again they came forward with the present applications to recall D.W.1 and to produce additional documents. Though such conduct of the revision petitioners/defendants 6 to 9 is highly unacceptable one, the Suit was filed in the year of 1984 and a final opportunity is to be given to the revision petitioners, otherwise, their right to defend the case will be defeated. Considering that, this court is inclined to set aside the findings rendered in I.A.Nos.91 and 92 of 2025 in O.S.No. 267 of 1984. Accordingly, these Civil Revision Petitions are allowed. Both parties are directed to co-operate with the



trial proceedings without filing any unnecessary application. If at all, any re-open and re-call application is filed unnecessarily hereafter, the same is to be rejected at the first instance itself by the trial judge. The trial judge is directed to complete the trial and to dispose the case within a period of twelve weeks from the date of receipt of copy of this order. No costs. Consequently, connected civil miscellaneous petitions are closed.

25-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RPP

To

The Principal District Munsif, Gingee.



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CRP Nos. 1834 & 1840 of 2



T.V.THAMILSELVI J.

RPP

**CRP No. 1834 of 2025 & CRP NO. 1840 OF 2025
AND
CMP NO. 10618 OF 2025, CMP NO. 10593 OF 2025**

25-03-2026