



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

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

CRP No. 2532 of 2026

AND

CMP NO. 10692 OF 2026

T.S.K.Meenakshi Sundaram
S/o. T.S.Kandasamy Chettiar,
Rep. by his Power of Attorney,
M.Rajesh,
S/o. T.S.K.Meenakshi Sundaram,
D.No.474, Gandhi Nilayam,
P.N.Road, Tiruppur North Taluk,
Tiruppur District.

..Petitioner(s)

Vs

1. Chandran
S/o. of Not Known,
D.No.4, 3rd Street,
T.S.K.Nagar, Dharapuram Road,
Tiruppur South Taluk,
Tiruppur District.
2. Natarajan
S/o. of Not Known,
D.No.4, 3rd Street,
T.S.K.Nagar, Dharapuram Road,
Tiruppur South Taluk,
Tiruppur District.

..Respondent(s)

PRAYER

Civil Revision Petition filed under Art.227 of Constitution of India, praying to set aside the Fair and Decretal Order dated 16.02.2026 passed in IA No. 517 of 2025 in OS No. 54 of 2023 on the file of Additional District Munsif Judge at Tiruppur.



For Petitioner(s): Mr.K.Myilsamy

For Respondent(s): Mr.K.S.Karthik Raja For R2

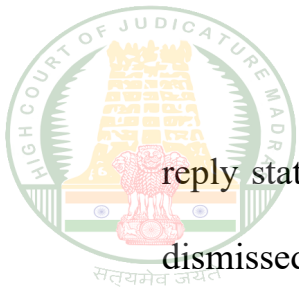
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ORDER

Challenging the impugned order passed in I.A.No.517 of 2025 in O.S.No.54 of 2023 by the learned Additional District Munsif, Tiruppur, the Revision Petitioner/plaintiff had preferred this Civil Revision Petition.

2.Before the trial court, the revision petitioner/plaintiff filed the application seeking permission of the Court to receive the reply statement. On hearing both sides, the trial court dismissed the application holding that on 12.07.2023 the written statement was filed. If at all, the revision petitioner/plaintiff had any objection, he ought to have filed reply statement much earlier and after the commencement of trial, he came forward with the said application. Aggrieved over that findings, the revision petitioner/plaintiff preferred this Civil Revision Petition.

3. The learned counsel for revision petitioner/plaintiff would submit that at the time of trial, he came to know certain facts. On perusal of the written statement, it reveals that the revision petitioner/plaintiff has to deny the alleged reserved site claimed by the defendants specifically, otherwise his right will be defeated after the completion of trial. Therefore, necessity arose for him to file a



reply statement, but the trial court failed to consider the same and erroneously dismissed the application. Hence, he prayed to set aside the findings of trial judge.

4. The learned counsel for 2nd respondent/defendant submitted that the written statement was filed in the year 2023, nearly about 2 ½ years later, after commencement of trial, the revision petitioner/plaintiff came forward with the said application and in order to fill up the lacuna, he came forward with the said application.

5. Heard and considered rival submissions made on either side and perused the materials available on record.

6. On perusal of records, the fact reveals that now the case is posted for cross-examination of P.W.1. The written statement was filed in the year 2023. The revision petitioner/plaintiff ought to have filed reply statement much earlier as rightly stated by the learned counsel for respondents/defendants. Now, as per the allegation in the written statement, the suit property was allocated under the category of saleable community, based on that, the revision petitioner/plaintiff claimed himself as owner of the property. Though the revision petitioner/plaintiff is bound to deny the averments made in the written statement by way of filing reply statement, he has not taken steps much earlier and only



after the commencement of trial, he came forward with the said application.

However, the opportunity is to be given to the revision petitioner/plaintiff, who approached the Court, otherwise, his right to defend the case will be defeated.

Therefore, this Court is inclined to set aside the findings rendered in I.A.No.517 of 2025 in O.S.No.54 of 2023 by the Additional District Munsif, Tiruppur.

Accordingly, this Civil Revision Petition is allowed with the cost of Rs.3000/- payable by the revision petitioner to the learned counsel for respondents.

Consequently, connected civil miscellaneous petition is closed.

24-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RPP

To

The Additional District Munsif, Tiruppur.



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T.V.THAMILSELVI J.

RPP

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