



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2626 of 2026

1. Santhanam
Res. at Kanakkankuppam Village,
Gingee Taluk, Villupuram District.

Petitioner(s)

Vs

1. Govindhasamy
S/o. Vadivel, Res. at Kanakkankuppam
Village, Gingee Taluk, Villupuram
District.

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, prays to set aside the docket order dated 26.03.2026 passed in IA Sr. No. 2553 of 2026 in IA No. 585 of 2024 in OS No. 305 of 2014 on the file of the Principal District Munsif Court, Gingee.

For Petitioner(s): MS.G.S.Dhanalakshmi

For Respondent(s):

ORDER

The petitioner has filed this revision petition to set aside the docket order dated 26.03.2026 passed in IA Sr. No. 2553 of 2026 in IA No. 585 of 2024 in OS No. 305 of 2014 on the file of the Principal District Munsif Court, Gingee.



2. By suppressing the earlier partition that had taken place in the family, the respondent/plaintiff filed O.S. No. 305 of 2014, on the file of the Principal

District and Munsif Court, Gingee, and obtained an ex parte preliminary decree.

According to the petitioner, he is an illiterate person and, due to lack of communication, was unaware of the decree. Upon coming to know of the same, he filed an application under Section 5 of the Limitation Act to condone the delay of 3,097 days in filing an application to set aside the ex parte decree. However, the said application was dismissed on 02.07.2025.

3. According to the revision petitioner, a registered partition had already taken place on 19.09.2019 under Document No. 1128 of 2019. However, the plaintiff failed to disclose the said partition before the Court and, by suppressing the earlier partition, obtained a preliminary decree in respect of the property that had allegedly fallen to the share of the petitioner. Therefore, the petitioner filed the delay condonation application, which came to be dismissed on 02.07.2025. Thereafter, having a substantial defence to put forth, he filed a review application, but the same has not yet been considered by the trial Court.

4. On a perusal of the records, it appears that the plaintiff and the revision petitioner are brothers. According to them, a registered partition had taken place in the year 2019, under which the suit property was allotted to the share of the



revision petitioner. Thus, there appears to be a substantial dispute between the parties.

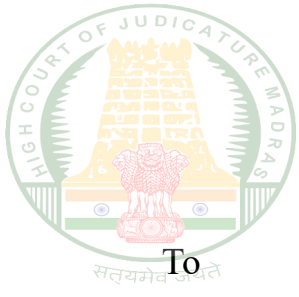
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5. However, the order passed in I.A. No. 585 of 2024 in O.S. No. 305 of 2014 has not been challenged. Instead, the petitioner has filed a review application. In the circumstances, liberty is granted to the revision petitioner to challenge the order in the manner known to law within a period of four weeks from the date of receipt of a copy of this order. Till then, the decree shall not be given effect to.

6. With the above directions, this Civil Revision Petition is disposed of.

01-06-2026

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

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1. Govindhasamy
S/o. Vadivel, Res. at Kanakkankuppam
Village, Gingee Taluk, Villupuram
District.
2. The Principal District and Munsif
Court, Gingee.
3. The Section Officer, VR Section,
High Court of Madras.



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T.V.THAMILSELVI J.
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