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C.R.P.No.3237 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2026

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.R.P.No.3237 of 2026

and

C.M.P.No.14100 of 2026

Arun K V

... Petitioner

Vs.

Vijay Puthenveetil

... Respondent

Prayer : Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the order dated at 01.04.2026 passed in I.A.No.1 of 2025 in O.S.No.3468 of 2025 on the file of the VII Additional District and Sessions Judge at Chennai.

For Petitioner : Mr.S.Deenathayalan

For Respondent : Mr.K.S.Jeyaganeshan

ORDER

This Civil Revision Petition has been filed challenging the impugned order, dated 01.04.2026 passed by the VII Additional District and Sessions Court, Chennai in I.A.No.1 of 2025 in O.S.No.3468 of 2025.



C.R.P.No.3237 of 2026

2. Under the aforesaid order, the trial court had disposed of the application filed by the petitioner, who is the defendant in the main suit, granting conditional leave to defend the suit in O.S.No.3468 of 2025 on condition that the petitioner shall deposit 50% of the alleged principal amount of Rs.10,00,000/- to the credit of the suit, on or before 29.04.2026. According to the petitioner, the condition imposed by the trial court for granting leave to defend the suit is onerous. The petitioner claims that he has paid a substantial sum of money to the respondent, towards discharge of the hand loan, which the petitioner had availed from the respondent.

3. Learned counsel for the petitioner relies upon a statement of account from the bank in respect of his contention. However, the said statement of account was not filed before the trial court.

4. Learned counsel for the respondent disputes the contention of the petitioner and would submit that the submission made by the learned counsel for the petitioner that the petitioner had made part payments to the tune of Rs.7,00,000/- is not correct.



C.R.P.No.3237 of 2026

5. The trial court only based on the documents available on record

has disposed of the said interlocutory application by granting conditional leave to defend the suit to the petitioner by directing the petitioner to deposit 50% of the suit claim to the credit of the suit. There is no proof placed before the trial court to establish that the petitioner had paid Rs.7,00,000/- to the respondent towards discharge of the hand loan. All the contentions raised by the petitioner are triable issues and can be decided only after trial and not at this stage. Since the trial court has rightly passed the impugned order by granting conditional leave to defend the suit to the petitioner by directing the petitioner to deposit 50% of the principal amount, within a time frame fixed by the trial court, the question of interfering with the impugned order by this Court does not arise. The only limited relief that can be granted to the petitioner is to grant him some more time to deposit the sum of money directed to be deposited by the trial court to the credit of the suit.

6. Learned counsel for the petitioner, on instructions, would submit that the petitioner is undertaking to pay the sum directed to be deposited by the trial court, within a period of one (1) month from the date of receipt of a copy of this order.



C.R.P.No.3237 of 2026

WEB COPY

7. In terms of the undertaking given by the petitioner before this Court, the petitioner is directed to deposit 50% of the alleged loan amount (Rupees Ten Lakhs only), within a period of one (1) month from the date of receipt of a copy of this order. On failure to pay the aforesaid sum, within the stipulated time, the suit claim of the respondent shall be decided by the trial court for passing a decree in terms of the suit claim in favour of the respondent.

8. With the above directions, this Civil Revision Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

12.06.2026

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



C.R.P.No.3237 of 2026

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To
The VII Additional District and Sessions Court,
Chennai.



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C.R.P.No.3237 of 2026

ABDUL QUDDHOSE, J.

sp

C.R.P.No.3237 of 2026

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