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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

**CRP No. 3557 of 2026
and CMP No.15502 of 2026**

1. K.V.Ramamurthy
s/o K.R.Veerasamy, Old Door No.56/ New
Door No.57/A1, Naval Hospital Road, 1st
lane, Periamet, Chennai - 600 003

Petitioner(s)

Vs

1. S.Parameswari
w/o Sarathy, New No.25, Old No.1/2, Naval
Hospital Road, 1st lane, Periamet, Chennai -
600 003

Respondent(s)

Revision Petition filed under Article 227 of Constitution of India to set aside the Docket Order dated 17.04.2026 of the Review Petition SR No.25542 of 2026 in O.S.No.2112 of 2018 on the file of XII Assistant City Civil Court, Chennai and further remit back the case to the trial court to hear the matter afresh and to decide the issue which was omitted.

For Petitioner(s): M/s. M.B.Mushtaque Ahamed
Samiullah.Z
M.B.Anjumanra Begum



For Respondent(s): Chennai

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ORDER

The present revision petition challenges the order of return in the docket order in Review Application SR No.25542 of 2026 dated 17.04.2026.

2. The petitioner admittedly suffered a decree in O.S.No.2112 of 2018 on the file of 12th Assistant City Civil Court, Chennai and the petitioner filed a Review Application under Order 47 of Civil Procedure Code contending that one of the main issues has not been decided or answered as contemplated under Order 14 of Civil Procedure Code. The said application has been returned by the trial Court stating that the Review is not maintainable.

3. I do not see any error committed by the trial Court in not entertaining the Review Application Order 47 Rule 1 of the Civil Procedure Code reads as under:-

REVIEW

*1 . Application for review of judgment— (1) Any person considering himself aggrieved—
(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,*



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(b) by a decree or order from which no appeal is allowed, or
(c) by a decision on a reference from a Court of Small Causes,
and who, from the discovery of new and important matter or
evidence which, after the exercise of due diligence was not within
his knowledge or could not be produced by him at the time when
the decree was passed or order made, or on account of some
mistake or error apparent on the face of the record of for any
other sufficient reason, desires to obtain a review of the decree
passed or order made against him, may apply for a review of
judgment to the Court which passed the decree or made the order.

4. In my considered view, non-consideration of one of the issues or not
answering one of the issues is not a ground for review. It may be affording an
opportunity to prefer an appeal alone and the provisions of Order 47 of Civil Procedure
Code cannot be invoked.

5. In the result, the civil revision petition is dismissed. However, this order
will not come in the way of the petitioner filing a regular appeal.

No costs. Consequently, connected miscellaneous petition is closed.

01.07.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order



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P.B.BALAJI,J.

sr

To

The XII Assistant City Civil Court, Chennai

CRP No. 3557 of 2026

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