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C.R.P.No.2995 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :02.02.2026

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.2995 of 2024
and CMP.No.16070 of 2024

Valarmathi

... Petitioner

VS.

Palanisamy

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and final order dated 07.06.2024 passed in I.A.No.8 of 2024 in O.S.No.221 of 2018 on the file of the First Additional District Court, Namakkal and allow the above Civil Revision Petition.

For Petitioners : Mr.P.Navaneetha Krishnan

For Respondent :Mr.S.Saravanakumar
for M/s.I.Abrar Mohamed Abdullah

ORDER

The Civil Revision Petition is filed challenging the order passed by the trial Court allowing the application filed by the respondent/plaintiff seeking to reopen the case for the purpose of examining further witnesses on



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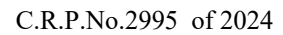
the side of the plaintiff.

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2. The respondent herein filed a suit seeking recovery of money based on promissory note, the petitioner got possession of certain important document regarding the lorry business of the defendant. In order to mark the said document and establish the case of the respondent/plaintiff an application has been filed by the respondent in I.A.8 of 2024 seeking reopen the case to examine further witnesses and the said application was allowed by the trial Court. Aggrieved by the same, the petitioner has come before this Court.

3. The learned counsel appearing for the petitioner would vehemently contend that the document filed by the respondent relating to lorry business of the defendant has nothing to do with the suit claim. It is further submitted that it was not the case of the respondent that the petitioner/defendant borrowed amount in connection with lorry business and therefore, the trial Court committed an error in allowing application.

4. The learned counsel appearing for the respondent on the other hand would submit that the documents relating to business of the petitioner



5. It is seen from the typed set of papers, the suit was laid for recovery of money against the petitioner based on promissory note. It is the case of the respondent that the petitioner herein received Rs.17,00,000/- from the respondent to meet the family and business expenses. The respondent already marked two documents which contains information obtained by them under Right to Information Act as Exs.A7 and A8. In the said documents, the lorry numbers were mentioned along with its owners name as Valarmathi and Thangavelu. However, the petitioner herein disputed that Valarmathi and Thangavelu mentioned in Exs.A7 and A8 were not referring to the petitioner and her husband. In order to prove the names mentioned in Ex.A7 and A8 are only referring to petitioner and her husband, the plaintiff wants to reopen the case and recall PW.1. Since the petitioner raised serious dispute with regard to the identity of the persons mentioned Exs.A7 and A8, the trial Court held an opportunity should be given to the respondent to reopen the case to enable the respondent to call the officials of Regional Transport Office as a witness and examine them on their side.



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6. I do not find any error in the impugned order passed by the trial Court and the same will not cause any serious prejudice to the petitioner.

7. Taking into consideration, the delay on the part of the respondent in seeking to reopen the case for the purpose of examining further witnesses, this Court feels cost shall be imposed on the respondent. Accordingly, the respondent is directed to pay a sum of Rs.2,000/- as cost to the petitioner within a period of two weeks from the date of receipt of copy of this order. If the respondent failed to comply with the condition, the benefit of the order passed in I.A.No.8 of 2024 will not enure to him. With these modification, the Civil Revision Petition shall stand dismissed. No costs. Consequently, connected miscellaneous petition is closed.

02.02.2026

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
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To

The First Additional District Court,
Namakkal.



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S.SOUNTHAR, J.

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