



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

CRP Nos. 3656 & 3658 of 2026

AND

CMP NOS. 15892 & 15895 OF 2026

Dr.NafeezZawahir
S/o MK.Zawahir
Rep by his Power agent
M.Arulsamy, S/o Michel Raj
No.5/777, Kavimani Salai,
Mogappair, Chennai 600 037.

..Petitioner in both CRPs

Vs

P.G.Venugopal
S/o Govindaraj
MMDA Colony Chennai 600 102
Now res at No.20,Ground Floor,
Z Block, 11th Street,
Anna Nagar, Chennai 600040

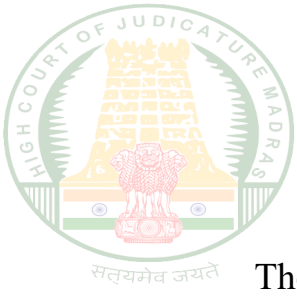
..Respondent in both CRPs

PRAYER in CRP No. 3656 of 2026: This Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Sub Judge, Ambattur to take the IA.SR.No.3604 of 2026 on file in OS.No.1239 of 2023 and dispose the same within time stipulated by this Court.

PRAYER in CRP No. 3658 of 2026: This Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Sub Judge, Ambattur to take the IA.SR.No.3729 of 2026 on file in OS.No.1239 of 2023 and dispose the same within time stipulated by this Court.

For Petitioner(s):

Mr.S.Veeraraghavan
for Ms.G.Uma Maheswari in both CRPs.



COMMON ORDER

WEB COPY

These Civil Revision Petitions have been filed to direct the learned Sub Judge, Ambattur to take the IA.SR.No.3604 of 2026 and IA.SR.No.3729 of 2026 on file in O.S.No.1239 of 2023 and dispose the same within time stipulated by this Court.

2. Heard Mr.S.Veeraraghavan, for Ms.G.Uma Maheswari, learned counsel for the petitioner.

3. These revisions are challenging the order of return dated 25.06.2026, in and by which, the learned Sub Judge, Ambattur has returned an Application filed under Section 165 of BSA Act for issuing subpoena and for expert opinion filed under Section 47(1) of BSA.

4. On hearing the learned counsel for the petitioner and also going through the papers, these Applications filed by the plaintiff have been returned on the ground that the plaintiff's evidence has already been closed and the Court has posed a query as to how the Application is maintainable. Without even representing the papers and complying the returns, the petitioner has rushed to Court by way of filing the present revisions.



5. An avenue was open to the petitioner to have re-presented the Applications and satisfy the Court about the maintainability of Application. Without doing so, these revisions challenging the order of return is not maintainable. However, these Civil Revision Petitions are **disposed of** with the following directions:-

(i) The original Applications filed to issue Subpoena in I.A. SR. No.3604 of 2026 in O.S. No.1239 of 2023 and for expert opinion in I.A. SR. No.3729 of 2026 in O.S. No.1239 of 2023 shall be returned to the learned counsel for the petitioner, the same shall be re-presented by the learned counsel for the plaintiff in O.S. No.1239 of 2009 before the Sub Court, Ambattur, within a period of one week from receipt of the original Applications from the Registry of this Court.

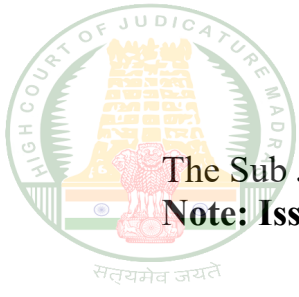
(ii) On compliance, the Trial Court, if not satisfied with the compliance made by the learned counsel, shall post the matter for maintainability in Open Court and hear the learned counsel for the plaintiff and thereafter, pass orders on the maintainability of the Applications. Till such time, the trial shall be deferred.

(ii) This process shall be completed within a period of three weeks from today.

Consequently, connected Miscellaneous Petitions are closed. No costs.

30-06-2026

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



The Sub Judge, Ambattur.

Note: Issue order copy today (30.06.2026)

CRP Nos. 3656 & 3658 of 2



WEB COPY



WEB COPY

CRP Nos. 3656 & 3658 of 2



P.B.BALAJI J.

RKP

**CRP Nos. 3656 & 3658 of 2026
AND
CMP NOS. 15892 & 15895 OF 2026**

30-06-2026