



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 3147 of 2025

and

CMP.No.17528 of 2025

1. Tamizhmani
S/o. Palanimuthu, Manalmedu,
Chinnakosapallam Village, Tirtagudi
Taluk.

Petitioner(s)

Vs

1. Ezhilventhan
S/o. Late. Renganathan,
Chinnakosapallam Village, Tittagudi
Taluk.

2.Ezhilnathan
S/o. Late. Renganathan,
Chinnakosapallam Village, Tittagudi
Taluk.

3.Ezhilarasi
S/o. Late. Renganathan,
Chinnakosapallam Village, Tittagudi
Taluk.

4.Kadalazhagi
D/o. Late. Renganathan,
Chinnakosapallam Village, Tittagudi
Taluk.

5.Muthazhagi
D/o. Late. Renganathan, Konar Post,
Tittagudi Taluk.

Respondent(s)

**PRAYER**

Civil Revision Petition filed under Article 227 Constitution of India, prays to set aside the order and decree dated 13.06.2025 passed by the Learned Addl. District Munsif, Tittagudi in IA No.207 of 2024 in OS No.114 of 2017.

For Petitioner(s): MS.A.Jagadeeswari

For Respondent(s): Mr.R.Muthu Krishnan For R1
and R3 To R5 R2 - Tracking
Consignment Filed Without
Postal Receipts)

ORDER

The petitioner has filed this Petition to set aside the order and decree dated 13.06.2025 passed by the Learned Addl. District Munsif, Tittagudi in IA No.207 of 2024 in OS No.114 of 2017.

2. Challenging the impugned order passed in I.A. No. 207 of 2024 in O.S. No. 114 of 2017, the defendant has preferred the present revision.

3. Before the Trial Court, the defendant filed a petition under Order VIII Rule 9 CPC seeking leave to file an additional written statement in O.S. No. 114 of 2017. It was stated that at the time of filing the original written statement, certain particulars relating to the suit properties could not be furnished. The petitioner submitted that he had gone to Tiruppur in search of employment and, upon returning and verifying the original documents, he realized that certain material particulars and documents had not been incorporated earlier. Hence, he sought leave of the Court to file an additional written statement along with

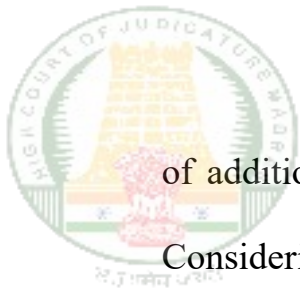


additional documents.

4. The said application was contested by the respondents / plaintiffs on the ground that the petition was filed nearly four years after the filing of the written statement and that the defendant had failed to disclose the correct particulars at the appropriate time. Therefore, they opposed the application.

5. Upon considering the submissions of both sides, the learned Trial Judge observed that an ex parte decree had earlier been passed due to the non-appearance of the defendant, and subsequently, a petition to set aside the ex-parte decree was allowed. The defendant was permitted to file a written statement in the year 2023. Thereafter, the defendant came forward with the present application stating that he had obtained certain sale deeds and other documents and sought permission to file an additional written statement. The Trial Court held that no proper reason was given for not including those particulars earlier and that the defendant was attempting to introduce a new case. Accordingly, the petition was dismissed. Aggrieved by the same, the present revision has been filed.

6. As on date, the trial has not commenced before the Trial Court. After filing the written statement, the defendant claims to have come into possession



of additional information and original documents relating to the suit property.

Considering the stage of the suit, if an opportunity is not granted to the defendant to raise all his defences, it may result in multiplicity of proceedings.

The Court below failed to take note of this aspect and dismissed the application.

7. In view of the above, this Court is inclined to set aside the order of the Trial Court in IA No.207 of 2024 in OS No.114 of 2017 and permit the defendant to file an additional written statement. Liberty is granted to the plaintiffs to file a reply statement, if they so desire. Both parties are directed to cooperate for the expeditious disposal of the suit. Accordingly, this Civil Revision Petition is allowed. Consequently, the connected Miscellaneous petition is closed. There shall be no order as to costs.

02-03-2026

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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1. The Addl. District Munsif, Tittagudi.

2. The Section officer, VR Section,
High Court of Madras, Chennai.



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T.V.THAMILSELVI J.
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