



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

WEB COPY

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 3506 of 2025

AND

CMP NO. 18976 OF 2025

1. P.Rangaswamy

2. S Anandan

Petitioner(s)

Vs

1. K.Lakshmi

2.K Kumaresan

3.The Sub Registrar
Konnur Sub Registration Office,
Villivakkam, Chennai-600 049

4.The Commissioner
Ambattur Municipality, Ambattur,
Chenani-600 053

5.The Assistant Executive Engineer
Mugappair Division,
Mugappair, Chennai-600 037

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order passed in I.A.No.10/2025 in O.S.No.85 of 2010 dated 25-03-2025 on the file of the court of District Munsif at Ambattur and allow the I.A.No.10/2025 in O.S.No.85/2010 on the file of the Court of District Munsiff at Ambattur and render justice

For Petitioner(s): Mr. George Graham
for Mr.Devadson And Sagar



WEB COPY

CRP No. 3506 of 2025



For Respondent(s): Mr.R.Ganesh For R1

Ms. V.Deepika For R2

Mr. B. Karthikeyan,
Government Advocate
for R3 to R5

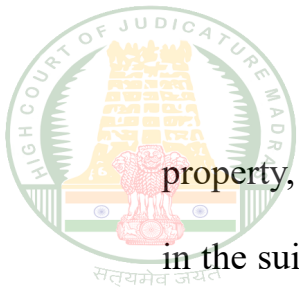
ORDER

This Civil Revision Petition has been filed, challenging the impugned order dated 25.03.2025 passed by the District Munsif Court at Ambattur in I.A. No. 10 of 2025 in O.S. No. 85 of 2010.

2. The petitioners are the first and third defendants respectively in the suit, O.S. No. 85 of 2010, pending on the file of the District Munsif Court, Ambattur. The first respondent is the respondent and the remaining respondents are the other defendants in the suit.

3. Under the aforesaid order, the trial Court has dismissed the application filed by the petitioners under Order XVIII Rule 3-A CPC, seeking permission of the trial Court to adduce evidence at a later stage after examination of the second defendant as witness.

4. The reason given by the petitioners for filing I.A. No. 10 of 2025 was that they did not have any of the documents concerning the suit schedule



property, as the said documents were available only with the second defendant in the suit. The second defendant has purchased the suit schedule property from the first defendant represented by the third defendant as the Power Agent of the first defendant.

5. While dismissing the application, viz., I.A. No. 10 of 2025, the trial Court has observed that no sufficient reasons have been given by the petitioners for filing the application under Order XVIII Rule 3-A CPC. Order XVIII Rule 3-A CPC reads as follows:

“3A. Party to appear before other witnesses.—

Where a party himself wishes to appear as a witness, he shall so appear before any other witness on his behalf has been examined, unless the Court, for reasons to be recorded, permits him to appear as his own witness at a later stage.”

6. The suit has been filed for declaration and permanent injunction by the plaintiff on the ground that the first defendant had sold the property to the second defendant illegally, despite the fact that the plaintiff was granted power of attorney to sell the property by the first defendant and without his knowledge, the first defendant has executed another power of attorney in favour of the third



defendant. The plaintiff has categorically pleaded in the plaint that she is entitled for the declaration and permanent injunction as prayed for in the suit.

WEB COPY

7. Under Order XVIII Rule 3A of CPC, a party who seeks to examine himself as a witness at a later stage will have to give sufficient reasons. In the case on hand, the only reason given by the petitioners is that they do not possess the documents pertaining to the suit schedule property and it is only the second defendant, who is possessing the same. The very same reason could have very well been deposed by the petitioners during their examination as witnesses in the suit and there was no necessity for the petitioners to file an application under Order XVIII Rule 3A CPC, seeking to examine themselves as witnesses at a later stage as prayed for in I.A. No. 10 of 2025.

8. The trial Court has also observed in the impugned order that in the application filed by the petitioners through I.A. No. 10 of 2025, they have also not mentioned the list of documents, which are under the possession of the second defendant and the trial Court has also observed that vague reasons have been given by the petitioners in support of their application filed under Order XVIII Rule 3-A CPC, namely I.A. No. 10 of 2025.



9. The suit is at the part heard stage. Instead of participating in the trial by letting in oral and documentary evidence, the petitioners have chosen to file I.A.

No. 10 of 2025, which has been rightly dismissed by the trial Court through the impugned order, as no sufficient cause has been shown by the petitioners for satisfying the requirements of Order XVIII Rule 3A CPC.

10. For the foregoing reasons, this Court does not find any merit in this Civil Revision Petition. Accordingly, the Civil Revision Petition is dismissed. The interim stay order granted earlier by this Court stands vacated. No costs. Consequently, connected miscellaneous petition is closed.

25-06-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
ab

To
The District Munsif Court, Ambattur.



WEB COPY

CRP No. 3506 of 2025



ABDUL QUDDHOSE J.

ab

**CRP No. 3506 of 2025
AND CMP NO. 18976
OF 2025**

25-06-2026