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CRP No. 484 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

CRP Nos. 484 & 482 of 2022

and

CMP NO. 2537 OF 2022

1. S.R.Ravichandran
S/O.S.K.Ramaraj, Site No.27, Indian Bank
Colony, Sundakkamuthur Post, Coimbatore 641
010.
2. S.R.Chandra Nirmala
S/O.S.K.Ramaraj, Site No.27, Indian Bank
Colony, Sundakkamuthur Post, Coimbatore 641
010.

..Petitioners in both
CRP(s)

Vs

1. S.R.Devaraj
S.K.Ramaraj, No.15/62, School St,
Sundakkamuthur, Coimbatore 641 010.
2. S.R.Navaneetham
W/O.K.Jayakumar, NO.138, Muthaiah St,
Vellala Teynampet, Chennai 86.
3. Vetrivel Enterprises
Rep by its Proprietrix Mrs.Sujatha, Mohanraj,
No.75, II Floor, Bigbell Complex, 106,
D.B.Road, R.S.Puram, Coimbatore 641 002.
4. The South Indian Bank Limited
Gandhipuram Branch 100 feet Road,
Gandhipuram, Coimbatore 641 012, Rep by its
Manager.
5. The Authorized Officer
The South Indian Bank Limited, Regional
Office, Trichy Road, Coimbatore 641 018.



6. The Manager
Bank of Baroda, Narsanda Branch, Ahmedabad,
Gujarat.
7. Unnikrishnan
No.51, Ambedy, Ayodaya Nagar, Chandra
Nagar, Palakkad 678 007, Kerala.
8. Sivan
Manager, Inspection and Vigilance Department,
The South Indian Bank Limited, Head Office,
Trissur, Kerala.
9. M.Anburaj Kishore
S/O.Mayilsamy Gounder, D.No.63/29-C, Thai
Moogambigai Nagar, Siru Pooluvapatti Village,
Tirupur, P.RANGARAJAN (Died).
- 10.Premalatha
W/O.P.Rangarajan, 833-B, Golden Gates
School St, K.N.Patti, Yercaud, Salem.
- 11.Pradeep
S/O.P.Rangarajan, 833-B, Golden Gates School
St, K.N.Patti, Yercaud, Salem.
- 12.Iswarya
D/O.P.Rangarajan, 833-B, Golden Gates School
St, K.N.Patti, Yercaud, Salem.

..Respondent in both
CRP(s)

Prayer in C.R.P.No.484 of 2022 : Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order passed on 29-10-2021 in I.A.No.3/2021 in O.S.No.34/2013 on the file of the IV Additional District and Sessions Judge of Coimbatore.



Prayer in C.R.P.No.482 of 2022: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order passed on 29-10-2021 in I.A.No.4/2021 in O.S.No.34/2013 on the file of the IV Additional District and Sessions Judge of Coimbatore.

For Petitioner(s):
(in both CRPs)

Mr.C.Deivasigamani

For Respondent(s):
(in both CRPs)

R1, R4, R5 – Not ready in notice
R2 – Served (No appearance)
R3 – Left
R6 – No appearance
R7 – Left
R8, R9 – Served (No appearance)
R10 to R12 – Not ready in notice

COMMON ORDER

The present Civil Revision Petitions have been filed to set aside the orders passed on 29-10-2021 in I.A.Nos.3 of 2021 and 4 of 2021 in O.S.No.34/2013 respectively on the file of the IV Additional District and Sessions Judge of Coimbatore.

2. Heard the learned counsel for the petitioners.

3. The learned counsel for the petitioners would submit that the petitioners had filed a suit seeking declaration of a registered Power of Attorney dated 16.02.2006 to be an null and void document, for seeking partition of the



suit schedule property and also for restraining the Bank from proceeding with the sale of the suit property. He would submit that the evidence on the side of the defendants had been closed and the case was posted for arguments. At that juncture, it was felt that it would be necessary to examine further witnesses, for which purpose, they had taken out two Interlocutory Applications to re-open the case for letting in further evidence and also to re-call D.W.2 for further cross-examination.

4. He would submit that based upon a forged Power of Attorney alleged to have been executed by the plaintiffs and the second defendant, the first defendant had mortgaged the property with the fifth defendant Bank and the property is also sought to be proceeded with by the Bank under the Special enactments. He would submit that in that context, it is necessary not only to further cross-examine D.W.2, but also to examine further witnesses, namely the Bank officials, who had processed the letter of credit in favour of the first defendant on the strength of the Power of Attorney, to substantiate that the said Power of attorney is a fraudulent document. He would also submit that the defendants, who had been set *ex parte* earlier have also taken out applications to set aside the *ex parte* order and therefore, no prejudice would be caused, as the Court below had only dismissed the petitions, holding that the same had been made only to protract the proceedings. Hence, he seeks the indulgence of this Court.



5. I have considered the submissions made by the learned counsel appearing for the petitioners.

6. Admittedly, in the suit recording of evidence had been completed and had been adjourned for arguments to be made by the learned counsel appearing on behalf of the respective parties. It is also an admitted case that at that juncture, the present Interlocutory Applications had been filed, seeking to examine further witnesses and also to re-call D.W.2. A perusal of the affidavit filed in support of the applications do not indicate any reasons whatsoever, which require the Court to reopen the case for examination of further witnesses and also to recall D.W.2, who had been noted to have been elaborately cross-examined by the plaintiffs. When it is a primordial case of the petitioners/plaintiffs that on the strength of an alleged forged Power of Attorney, the 1st defendant had been benefitted with certain facilities, for which the properties in which the plaintiffs have a share had been given a Security, in that context, no reasons have been attributed as to why it has become necessary for the plaintiffs to examine the officers, who had issued the letter of credit. The plaintiffs along with the first defendant, also seem to have participated in the proceedings under the Special Enactment, which had led to the sale of property by the Debts Recovery Tribunal. Subsequent to the filing of the suit, no proceedings have also been brought to the notice of this Court, challenging the



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auction sale of the property by the 5th defendant under the Debt Recovery Tribunal proceedings. When that be so, as rightly held by the Court below, the present petitions are only an attempt to protract the proceedings to the disadvantage of the contesting respondents.

7. For the aforesaid reasons, both the Civil Revision Petitions fail and accordingly dismissed. No costs. Consequently, connected miscellaneous petition is closed.

25-03-2026

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

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To

1. The V Additional District and Sessions Judge of Coimbatore.



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K.KUMARESH BABU J.

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C.R.P.Nos.484 & 482 of 2022

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