



WEB COPY

CRP No. 4271 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 4271 of 2025 and
CMP.No.21913 of 2025**

Mr.C.S.Ramesh
Proprietor of M/s.CS Rao Infra
Projects, Flat B, Viridi Residency, 57,
Thangam Colony, H Block, 30th Street,
Anna Nagar, Chennai - 040.

Petitioner

Vs

M/s.P.K. Vaduvammal
A Registered Partnership Firm,
Rep. by its Authorized Signatory,
Mr.D.M. Suresh,
No.1 Blackers Road, Gaiety palace,
Unit -4A, 4th Floor, Anna Salai,
Chinthadripet, Chennai - 002.

Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India praying to set aside the docket order passed in IA No.2 of 2025 in COS No.290 of 2024 on the file of Principal Commercial Court, Egmore Chennai Docket order dated 15.07.2025.

For Petitioner(s): Mr.Ram Pranav.M.N.R
for M/s.S.Veeraraghavan

For Respondent(s): Mr.B.Maghizhnan
for M/s.P.S.Deepika



ORDER

2. It is seen from the affidavit filed by the petitioner in support of IA.No.2 of 2025, the suit summons were served on the petitioner/defendant on 31-12-2024. He filed written statement along with the petition to condone the delay of 90 days in filing written statement on 29-04-2025. Having satisfied with the reasons assigned by the petitioner, the trial court allowed the said application on 02-07-2025 subject to the condition to the petitioner to make a payment of Rs. 2000/- to the respondent/ plaintiff on or before 14-07-2025. Since the petitioner failed to comply with the conditions within a time stipulated on the next date on 15-07-2025, IA.No.2 of 2025 was dismissed for failure of the petitioner to comply with the conditional order. Aggrieved by the same, the petitioner has come before this court.

<https://www.mhc.tn.gov.in/judis>



number of the petition filed by him seeking extension of time.

4. Since the petitioner failed to comply with the condition, the trial court dismissed the application. When the petitioner failed to comply with the condition, the trial court has no other option but to dismiss the application filed by the petitioner seeking condonation of delay in filing written statement. Therefore, we cannot find fault with the order impugned in this revision. However, it is open to the petitioner to file an application seeking extension of time for complying with the condition in view of the law laid down by the Full Bench of this Court in ***Gowri Ammal Vs Murugan and Others reported in 2006 (3) CTC 418***, wherein it was held that the petition for extension of time could be filed under Section 148 of CPC, even after expiry of time fixed for performance of an act by the Court.

5. Therefore, the petitioner is permitted to file application for extension of time. If any such application is filed, the same shall be considered and disposed of in accordance with the law.

6. With this direction, the Civil Revision Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

07-01-2026

Index:Yes/No



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Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
The Principal Commercial Court, Egmore Chennai



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S.SOUNTHAR J.
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