



WEB COPY

CRP No. 4336 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 4336 of 2025

AND

CMP No. 22268 OF 2025 & CMP NO. 1482 OF 2026

1. Devaki
W/o.Manickam,
No.3 Kumarakottam Street, Nellikuppam,
Panruti Tk., Cuddalore Dist.
2. Ravikumar
S/o.Manickam,
No.3 Kumarakottam Street, Nellikuppam,
Panruti Tk., Cuddalore Dist.

..Petitioner(s)

Vs

1. Radha
D/o.Krishnan,
No.3 Kumarakottam Street, Nellikuppam,
Panruti Tk., Cuddalore Dist.
2. Gomathi
W/o.Jayachandran,
No.3 Kumarakottam Street, Nellikuppam,
Panruti Tk., Cuddalore Dist.
3. Gunasundari
W/o.Subbiah,
No.8 Anna Nagar East,
(Backside of Housing Board),
Pondicherry.
4. Valli
W/o.Suruli @ Jayachandran, Veli
Semmandalam, Cuddalore - 607 001.



5. Mohanasundari
D/o.Manickam,
No.3 Kumarakottam Street, Nellikuppam,
Panruti Tk., cuddalore Dist.
6. Mangalam
W/o.Pasupathy,
No.28 New Housing Unit, B Block, Thanjavur.
7. Rajalakshmi
W/o.Sivan Krishnasamy,
No.2/1, Muthamiz Nagar, Nellithoppu,
Puducherry.

..Respondent(s)

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the docket order dated 13-08-2025 passed in IA.No.498 of 2025 in OS No.85 of 2005 on the file of the Subordinate Court, Panruti.

For Petitioner(s): Mr.D.Baskar

For Respondent(s): Mr. B. Devakumar For R1 To R5
Mr.J.Arul Sharma For R6
R7 - Left India

ORDER

Challenging the impugned order passed in IA No.498 of 2025 in OS No.85 of 2005 dated 13.08.2025 on the file of the Subordinate Court, Panruti, the plaintiffs have preferred this revision petition.



2. The plaintiffs filed an application before the trial court seeking permission of the court to examine one Yasothai, who is the sister of the first plaintiff and first defendant. The trial court dismissed the application by stating that the case was pending for nearly about 20 years and after completion of the evidence, they come forward with such application, which cannot be entertained without any justifiable reason. Aggrieved over the same, the plaintiffs have preferred this revision petition.

3. The learned counsel for the revision petitioners submits that the proposed witness is the sister of both plaintiff and the defendant and she know the family affairs, therefore he wants to examine her, but the court has not given such opportunity.

4. The learned counsel for the respondents raised strong objections stating that the case is pending from the year 2005 and there is no pleading about this witness in the plaint, without which they are not entitled to examine the witness.

5. Considering both the submissions, the fact reveals that the suit was filed in the year 2005 between the plaintiffs and the defendants with regard to the prayer of declaration. Admittedly, the first plaintiff and the first defendant, who are sisters, claim themselves as wife of Manickam, which is under dispute.



Both side adduced evidence and the evidence was closed. At that time, on the side of the plaintiffs, they have come forward with one application to examine Yasothai, who is the sister of Manickam . On seeing the entire plaint averments, there is no mention about the said Yasothai. No pleading was found in the plaint also. Now after completion of the evidence, without assigning any reason the plaintiffs pray to examine such witness which is not entertainable. To that effect, the order passed by the trial judge requires no interference. Therefore, this civil revision petition is dismissed. The trial judge is directed to dispose of the case within twelve weeks from the date of receipt of a copy of this order.

6. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, the connected Civil Miscellaneous Petitions are closed.

09-04-2026

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

MTL

To

1. The Subordinate Court, Panruti.



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T.V.THAMILSELVI J.

MTL

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