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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CRP No. 6897 of 2026

CNR:{HCMA012299782026}

AND

CMP NO. 29650 OF 2026

Case QR

K.Naveen

..Petitioner(s)

Vs

1. Sanjay Kumar V. Jain
2. V. Kumaravel

..Respondent(s)

Civil Revision Petition filed under Article 227 of the Constitution of India praying to call for the records relating to the fair order dated 17.09.2026 passed in IA. No.6 of 2023 in O.S. No. 2545 of 2023 on the file of the learned I Assistant Judge, City Civil Court, Chennai by setting aside the same and pass such further or other orders as this Court may deem fit and proper and thus render justice.

For Petitioner(s): Mr. R.Thiagarajan

For Respondent(s): Mr.S.R.Rajagopal
Senior Counsel for
Mr.T.Srikanth for R1

Order

This Civil Revision Petition has been filed under Article 227 of the Constitution of India challenging the fair and decretal order dated 17.09.2026 passed in IA Nos. 5 and 6 of 2023 in OS No.2545 of 2023 by the learned I Assistant Judge, City Civil Court, Chennai, wherein the applications filed by the

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defendants 1 and 2 seeking for unconditional leave to defend the suit were disposed of by directing the defendants 1 and 2 to jointly and severally deposit a sum of Rs.4,00,000/- along with interest at the rate of 12% per annum from 18.08.2019 till the date of the plaint.

2. Heard both sides and carefully perused the materials available on record as well as the order passed by the Court below.

3. The 1st respondent is the plaintiff, who filed the suit in OS No.2545 of 2023 against the petitioner and the 2nd respondent herein seeking for the relief of recovery of money. The suit was instituted as a summary suit. Hence, applications were filed by the defendants 1 and 2 seeking for unconditional leave to defend the suit. The Court below on considering the rival contentions, imposed a condition that the defendants 1 and 2 shall jointly and severally deposit a sum of Rs.4,00,000/- along with the interest. Aggrieved by this condition imposed by the Court below, this Civil Revision Petition has been filed by the 2nd defendant.

4. The main ground that was urged on the side of the petitioner /2nd defendant is that the petitioner /2nd defendant had raised arguable points before the Court below and had also raised the issue of fraud. However, the Court below has completely disregarded the same and imposed the condition directing

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the deposit of the amount.

5. When the matter was taken up for hearing today, it was brought to the notice of this Court that the condition imposed by the Court below had been complied with and that a memo to that effect had also been filed, which was taken on file on 16.10.2026.

6. In view of the above development, there is nothing further to be considered on merits in this Civil Revision Petition.

7. The learned counsel for the petitioner submitted that the Civil Revision Petition will have to be decided on merits, taking into consideration the grounds that have been raised by the petitioner,

8. The Court below while imposing the condition had directed the defendants 1 and 2 to jointly and severally deposit the amount. The said condition has been complied with by the 1st defendant. Therefore, to deal with the present Civil Revision Petition on merits will be an unnecessary academic exercise.

9. If the petitioner wants to raise any grounds against the respondent/plaintiff, the same can be done by way of filing a written statement

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N.ANAND VENKATESH J.

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by making the necessary averments which will be considered by the Court below on its own merits and in accordance with law while deciding the suit on merit. It goes without saying that any observations made while disposing of the Interlocutory applications will not have any bearing on the adjudication of the suit on merits. Therefore, merely because the condition imposed by the Court below has been complied with, the petitioner/2nd defendant is not deprived of the right to raise all available defences in the written statement, which will be considered by the Court below on its own merits and in accordance with law. It is made clear that the petitioner/2nd defendant shall file the written statement within a period of two weeks from today. No costs. Consequently, the connected miscellaneous petition is closed.

03-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
RKA
To
I Assistant Judge, City Civil Court, Chennai

Note : Issue order copy on 12.11.2026

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