



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP NO. 5425 OF 2025

and

CMP No. 9164 of 2026 and CMP NO. 27300 OF 2025

1. K.Suresh Kumar

Petitioner(s)

Vs

1. M.Naveen

Respondent(s)

PRAYER

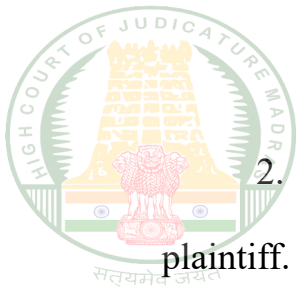
Civil Revision Petition filed under Article 227 of the Constitution of India to Set aside the Fair Order and Decreetal Order dt. 22.09.2025 in I.A No. 2/2025 in OS No. 7020 / 2023 passed by the IV Assistant City Civil Court, Chennai.

For Petitioner(s): Mr. C. Kasirajan

For Respondent: Mr. P.Romulus Navaratnam

ORDER

This Civil Revision Petition has been filed, seeking to set aside the order dated 22.09.2025 passed in I.A. No. 2 of 2025 in O.S. No. 7020 of 2023 on the file of the IV Assistant City Civil Court, Chennai.



2. The petitioner is the defendant in the suit and the respondent is the plaintiff. The suit has been filed for recovery of possession and for payment of arrears of rent together with interest by the respondent/plaintiff.

3. During the cross-examination of the plaintiff's witness, the petitioner sought time to cross-examine the plaintiff's witness. However, the trial Court has set the petitioner/defendant *ex parte* through the order dated 13.08.2025. I.A. No. 2 of 2025 was filed by the petitioner/defendant in O.S. No. 7020 of 2023, seeking to set aside the *ex parte* order dated 13.08.2025. Under the impugned order, the trial Court has dismissed the said application on the ground that only to drag on the proceedings, the petitioner has filed I.A. No. 2 of 2025.

4. The learned counsel for the petitioner would submit that the petitioner has already filed a written statement and is willing to proceed with the trial within a time frame to be fixed by this Court. The undertaking given by the petitioner through the learned counsel for the petitioner is recorded. Admittedly, no *ex parte* decree has been passed, but the impugned order relates only to an *ex parte* order.



5. No prejudice will be caused to any of the parties, if the impugned order is set aside by this Court and a direction is issued to the trial Court to dispose of the suit within a time frame to be fixed by this Court, and if such an order is passed, the interest of the respondent/plaintiff will also be protected.

6. The suit has been filed by the respondent/plaintiff against the petitioner/defendant, seeking for recovery of possession and for payment of arrears of rent. Therefore, necessarily, the suit has to be disposed of as expeditiously as possible. Therefore, in the interest of justice, this Court deems it fit to direct the trial Court to dispose of the suit within a time frame to be fixed by this Court.

7. Since the application has been filed by the petitioner/defendant, seeking to set aside the *ex parte* order immediately after the *ex parte* order was passed and sufficient reasons have been given by the petitioner/defendant to set aside the *ex parte* order, this Court deems it fit to set aside the *ex parte* order dated 13.08.2025.

8. For the foregoing reasons, the impugned order dated 22.09.2025 passed in I.A. No. 2 of 2025 in O.S. No. 7020 of 2023 on the file of the IV Assistant



City Civil Court, Chennai, is hereby set aside by this Court and this Civil Revision Petition is disposed of by directing the trial Court, namely, the IV Assistant City Civil Court, Chennai, to dispose of O.S. No. 7020 of 2023 within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petitions are closed.

15-06-2026

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

To

The IV Assistant City Civil Court, Chennai



WEB COPY

CRP No. 5425 of 2025



ABDUL QUDDHOSE J.

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and CMP No. 9164 of
2026
AND CMP NO. 27300
OF 2025**

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